



Baldwin County Commission

Legislation Details (With Text)

File #: 21-0330 **Version:** 1

Type: Consent **Status:** Passed

File created: 12/16/2020 **In control:** Baldwin County Commission Regular

On agenda: 1/19/2021 **Final action:** 1/19/2021

Title: Resolution #2021-038 - Fixing the Sum of the Bond and Setting Compensation for Revenue Commissioner Teddy J. Faust, Jr. (Term Commencing February 2, 2021, and Expiring February 2, 2027)

Indexes:

Attachments: 1. RES #2021-038 - Revenue Commissioner (Bond and Compensation), 2. Act 2017-330-Rev Commissioner increased compensation, 3. Code of Alabama 1975-Section 45-2-241.02, 4. *Resolution 2021-038 SIGNED

Date	Ver.	Action By	Action	Result
1/19/2021	1	Baldwin County Commission Regular	Approved	

Meeting Type: BCC Regular Meeting

Meeting Date: 1/19/2021

Item Status: New

From: Wayne Dyess, County Administrator; Anu Gary, Administrative Services Manager

Submitted by: Carjetta Crook, Administrative Support Specialist IV

ITEM TITLE

Resolution #2021-038 - Fixing the Sum of the Bond and Setting Compensation for Revenue Commissioner Teddy J. Faust, Jr. (Term Commencing February 2, 2021, and Expiring February 2, 2027)

STAFF RECOMMENDATION

Pursuant to the authority found at Section 45-2-241 of the Code of Alabama (1975) and related to the Revenue Commissioner of Baldwin County, Alabama, taking office on February 2, 2021, (the Honorable Teddy J. Faust, Jr.), adopt Resolution #2021-038 of the Baldwin County Commission which authorizes:

1) The Bond of the Revenue Commissioner of Baldwin County, Alabama to be fixed in the sum of \$750,000 with the Clerk/Treasurer of Baldwin County instructed to pay the cost of said bond out of the General Fund of Baldwin County; and

2) The compensation of the Revenue Commissioner of Baldwin County, Alabama, to be set in the exact amount of \$110,000 annually to be paid in monthly installments out of the General Fund of Baldwin County.

BACKGROUND INFORMATION

Previous Commission action/date: N/A

Background: Act No. 93-667 (Act) was adopted by the Alabama Legislature during the 1993 Regular Session of the Alabama Legislature. The Act is considered a local legislative act related only to Baldwin County which consolidated the former Office of Baldwin County Tax Assessor and Office of Baldwin County Tax Collector into the singular Office of Revenue Commissioner of Baldwin County.

The Act required a referendum to be conducted for Baldwin County's voters to consider said consolidation which was approved at an election held on June 7, 1994.

The Act is now codified at Section 45-2-241 of the Code of Alabama 1975.

Upon the occurrence of the Revenue Commissioner taking office, the Act requires that the Baldwin County Commission:

- 1) Fix the sum of the Bond of the Office of Revenue Commissioner; and
- 2) Set the exact amount of the Compensation of the Office of Revenue Commissioner prior to the Revenue Commissioner taking office by resolution of the Baldwin County Commission

[However, the Act requires that the Revenue Commissioner shall receive a minimum salary amount as provided by Section 40-6A-2 of the Code of Alabama 1975] [Section 40-6A-2 of the Code of Alabama 1975 requires the minimum annual salary for the Revenue Commissioner of Baldwin County to be no lower than \$52,500].

Revenue Commissioner's Bond and Compensation:

According to the law the County Commission shall execute a bond in a sum fixed determined by the County Commission. Staff recommends that the bond for the Baldwin County Revenue Commissioner be in the sum of \$750,000.

The current compensation of Baldwin County Revenue Commissioner Teddy J. Faust, Jr. is \$90,000 annually. The Baldwin County Commission desires to increase compensation of the Baldwin County Revenue Commissioner which includes an expense allowance, to \$110,000 annually to be paid monthly.

Increase in Expense Allowance for Revenue Commissioner:

Act No. 2017-330 which was passed on May 16, 2017 and is now codified at Section 45-2-241.02 of the Code of Alabama 1975 (attached) states:

- (a) Commencing on June 1, 2017, the Revenue Commissioner of Baldwin County shall be entitled to an additional expense allowance in the amount of twenty thousand dollars (\$20,000) per annum, which shall be in addition to all other expense allowances, compensation, or salary provided by law. This expense allowance shall be payable in equal monthly installments from the general fund of the county.
- (b) Beginning with the expiration of the term of the incumbent revenue commissioner, the annual salary for the revenue commissioner shall be increased by the twenty thousand dollars (\$20,000) per annum, payable in equal monthly installments from the general fund of the county and at that time, subsection (a) shall be come null and void.

The Act requires that the compensation of the Baldwin County Revenue Commissioner be set by the

Baldwin County Commission by resolution and prior to him/her taking Office. Revenue Commissioner Faust's, Jr. term of office begins February 2, 2021, and said term of office expires February 1, 2027.

FINANCIAL IMPACT

Total cost of recommendation: \$110,000 annually

Budget line item(s) to be used: 51600.5113

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: Administration to upload resolution to BCAP and forward a copy via email to: Teddy J, Faust Jr., Susan Hill, Cian Harrison, Donna Bryars, Ron Cink, Christie Davis

Finance and Accounting will obtain bond paperwork from the insurance company, have the bond recorded and bring all original paperwork to Administration for additional follow-up: Scan, file and upload. Administration Staff to send paperwork to Secretary of State for Certificate.

Individual(s) responsible for follow up: Administration Staff

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

Additional instructions/notes: N/A