



Baldwin County Commission

Legislation Details (With Text)

File #: 22-0022 **Version:** 1

Type: Consent **Status:** Passed

File created: 9/13/2021 **In control:** Baldwin County Commission Regular

On agenda: 10/5/2021 **Final action:** 10/5/2021

Title: Renewal of Intergovernmental Service Agreements with Municipalities for the Use of County Voting Machines and the Services of the County Voting Machine Custodian and Employees for Municipal Elections

Indexes:

Attachments: 1. Resolution 2022-002 - Municipal Use of County Voting Machines and County Staff during Elections, 2. Intergovernmental Service Agreement - Use of Voting Machines and Custodian, 3. Ethics Advisory Opinion No 2018-03.pd, 4. *BA5-Resolution 2022-002-SIGNED.pdf

Date	Ver.	Action By	Action	Result
10/5/2021	1	Baldwin County Commission Regular	Approved	

Meeting Type: BCC Regular Meeting

Meeting Date: 10/5/2021

Item Status: New

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

Submitted by: Victoria Key, Administrative Support Specialist

ITEM TITLE

Renewal of Intergovernmental Service Agreements with Municipalities for the Use of County Voting Machines and the Services of the County Voting Machine Custodian and Employees for Municipal Elections

STAFF RECOMMENDATION

Take the following actions:

- 1) Adopt Resolution #2022-002 of the Baldwin County Commission, as authorized by Code of Alabama 1975, Section 11-102-1, providing for a determination by the Baldwin County Commission to enter into an Intergovernmental Service Agreement with municipalities in Baldwin County, Alabama, to allow the municipalities to use the County's voting machines and the services of the County Voting Machine Custodian for municipal elections; and
- 2) Authorize the Chairman to execute an Intergovernmental Service Agreement with each Baldwin County municipality that wishes to use County-owned voting machines:

City of Bay Minette

City of Daphne

Town of Elberta

City of Fairhope

City of Foley
City of Gulf Shores
Town of Loxley
Town of Magnolia Springs
City of Orange Beach
Town of Perdido Beach
City of Robertsedale
Town of Silverhill
City of Spanish Fort
Town of Summerdale

The term of this Agreement shall be for three (3) years from its Effective Date. This document may be amended only upon written approval by the parties hereto, and any such amendment shall be approved by the same method by which this original Agreement has been approved by the parties. The parties may renew the contract for another term of not more than three (3) years on the same or amended terms by the same method by which the original contract was adopted.

BACKGROUND INFORMATION

Previous Commission action/date: October 16, 2018

Background: The State of Alabama Ethics Commission, Advisory Opinion No. 2018-03 issued on June 6, 2018, states that counties and municipalities may enter into contracts through which the municipality reimburses the county for the use of the county's election equipment and county employees who possess the requisite skill and knowledge to operate the equipment; but municipalities may not directly engage the county employee to do so under these facts without putting the employee in the position of violating Code of Alabama 1975, Section 36-25-S (a) and (c).

October 16, 2018, BCC Regular Meeting - The Commission adopted Resolution #2019-010 of the Baldwin County Commission, as authorized by Code of Alabama 1975, Section 11-102-1, providing for a determination by the Baldwin County Commission to enter into an Intergovernmental Service Agreement with municipalities in Baldwin County, Alabama, to allow the municipalities to use the County's voting machines and the services of the County Voting Machine Custodian for municipal elections and authorized the Chairman to execute an Intergovernmental Service Agreement with each Baldwin County municipality that wishes to use County-owned voting machines.

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: Reviewed previously by County Attorney

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 - forward copy of the resolution and the agreement to each municipality in Baldwin County, addressed to Mayor, ATTN: City/Town Clerk:

City of Bay Minette
Bob Wills, Mayor
Rita Diedrich, Clerk
301 D'Olive Street
Bay Minette, Alabama 36507

City of Daphne
Robin LeJeune, Mayor
Candace Antinarella, Clerk
Post Office Box 400
Daphne, Alabama 36526

Town of Elberta
Jim Hamby, Mayor
Caryn H. Woerner, Clerk
Post Office Box 277
Elberta, Alabama 36530

City of Fairhope
Sherry Sullivan, Mayor
Lisa A. Hanks, Clerk
Post Office Drawer 429
Fairhope, Alabama 36533

City of Foley
Ralph Hellmich, Mayor
Katy Taylor, Clerk
Post Office Box 1750, Foley, Alabama 36536

City of Gulf Shores
Robert Craft, Mayor
Wanda Parris, Clerk
Post Office Box 299
Gulf Shores, Alabama 36547

Town of Loxley
Richard Teal, Mayor
Melissa Lawrence, Clerk
Post Office Box 9
Loxley, Alabama 36551

Town of Magnolia Springs
Kim Koniar, Mayor
Hannah Driskell, Clerk
Post Office Box 890
Magnolia Springs, Alabama 36555

City of Orange Beach
Tony Kennon, Mayor
Renee Eberly, Clerk
Post Office Box 458
Orange Beach, Alabama 36561

Town of Perdido Beach
Kae Hamilton, Mayor
Lynn Thompson, Clerk
9212 County Road 97
Perdido Beach, Alabama 36530

City of Robertsdale
Charles Murphy, Mayor
Shannon Burkett, Clerk
Post Office Box 429
Robertsdale, Alabama 36567

Town of Silverhill
Jared Lyles, Mayor
Nicole Haigler, Clerk
Post Office Box 309
Silverhill, Alabama 36576

City of Spanish Fort
Mike McMillan, Mayor
Becky Gaines, Clerk
7361 Spanish Fort Blvd
Spanish Fort, Alabama 36577

Town of Summerdale
David Wilson, Mayor
Tiffany Lynn, Clerk
502 West Lee Ave
Summerdale, Alabama 3658

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

Additional instructions/notes: N/A