



# Baldwin County Commission

## Legislation Text

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**File #:** 19-0819, **Version:** 1

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**Meeting Type:** BCC Regular Meeting  
**Meeting Date:** 3/6/2019  
**Item Status:** New  
**From:** Ronald J. Cink, Budget Director  
**Submitted by:** Miranda N. McKinnon, Administrative Support Specialist

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### ITEM TITLE

The Public Building Authority of Baldwin County - Board Appointment

### STAFF RECOMMENDATION

As relates to the Public Building Authority of Baldwin County, take the following action:

- 1) Re-appoint Mr. Locke Whitley Williams as a member of the Board of Directors for pro-rata reduced six (6) year term, such term continuing from November 21, 2018, and expiring on November 21, 2024.

### BACKGROUND INFORMATION

**Previous Commission action/date:** May 15, 2018 - last BCC action related to the PBA.

**Background:** The term of office for Mr. Locke Whitley Williams of the Board of Directors of the Public Building Authority (PBA) of Baldwin County has expired (November 21, 2018).

### GENERAL BACKGROUND:

The PBA was formed as a public corporation in November, 2006, by approval of the Commission. The PBA remains the owner of the county property commonly referred to as the "Alabama Department of Human Resources Building" in Robertsedale on the premises of the Commission's campus which includes the Central Annex Building.

After the appointment by the Commission of the initial members of the Board of Directors of the PBA in 2006, the terms of office for the members of the Board of Directors shall be six (6) years each. The appointments/reappointments contained in this agenda item are for terms pro-rata reduced in order to maintain the chronological alignment of the appointments.

Mr. Locke Whitley Williams has agreed to continue serving on the PBA Board of Directors. Staff has verified that above citizen is 1) a resident of Baldwin County, Alabama, and 2) the nominee is not an officer of the State of Alabama, the county or any incorporated municipality.

Therefore, staff confirms the above-mentioned citizen meets the requirements set forth at Section 11-15-6, Code of Alabama 1975 to be appointed/reappointed Board of Directors of the PBA.

### Section 11-15-6 of the Code of Alabama 1975

Directors and officers; records of proceedings.

The corporation shall have a board of directors which shall be composed of the number of directors provided in the certificate of incorporation. All powers of the corporation shall be exercised by the board or pursuant to its authority. The directors shall be residents of the county and shall be elected by the governing body for staggered terms of office as follows: The first term of one third of the directors shall be two years, of another one third shall be for four years and of the remaining one third shall be six years and, thereafter, the term of office of each director shall be six years. If any director resigns or dies or becomes incapable of acting as a director or ceases to reside in the county, the governing body may elect a successor to serve for the unexpired period of his term. Directors shall be eligible for reelection by the governing body to succeed themselves in office. No director shall be an officer of the state, the county or any incorporated municipality. A majority of the members of the board shall constitute a quorum for the transaction of business. The corporation shall have a president, a vice-president, a secretary and a treasurer, but the offices of secretary and treasurer may be held by the same person. All officers shall be elected by the board. The members of the board and the officers shall serve without compensation, except that they may be reimbursed for actual expenses incurred in the performance of their duties. All proceedings of the board shall be reduced to writing by the secretary of the corporation and recorded in a well-bound book. Copies of such proceedings, when certified by the secretary of the corporation under its seal, shall be received in all courts as evidence of the matters and things therein certified.

### 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):**

Administration - correspondence to:

Locke Whitley Williams  
10357 A U.S. Highway 98  
Fairhope, Alabama 36532

Cc: Ron Cink  
Kim Creech

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