



Baldwin County Commission

Legislation Text

File #: 19-1860, **Version:** 1

Meeting Type: BCC Regular Meeting

Meeting Date: 8/20/2019

Item Status: New

From: Vince Jackson, Planning Director; Linda Lee, Planner

Submitted by: Vince Jackson, Planning Director; Linda Lee, Planner

ITEM TITLE

Baldwin County Planning and Zoning Commission - Board Appointment

STAFF RECOMMENDATION

As relates to the Baldwin County Planning and Zoning Commission, take the following actions:

- 1) Appoint Mr. Robert Davis as a regular member (BCC District 3 Nominee) to the place seat and expired term formerly held by Mr. Marvin Dewane Hayes, for a pro-rata reduced four (4) year term, said term to commence on August 20, 2019, and expire on June 30, 2023.
- 2) Send a letter to Mr. Marvin Dewane Hayes, thanking him for his prior civic service as a member of the board.

BACKGROUND INFORMATION

Previous Commission action/date: February 19, 2019

Background: The Baldwin County Planning and Zoning Commission was created by Baldwin County Local Legislative Act, specifically Act No. 91-719 (1991), as amended by Act. No 93-668 (1993), as amended by Act No. 98-665 (1998), as amended by Act No. 2006-609 (2006), as amended by Act No. 2010-719 (2010). The aforementioned Alabama laws are codified at Section 45-2-261 through 45-2-261.18 of the Code of Alabama 1975.

Section 45-2-261.01 of the Code of Alabama 1975 provides that the Planning and Zoning Commission shall be composed as a board of nine (9) regular members and other temporary members appointed by the Baldwin County Commission. All regular members shall be qualified electors and actual residents of Baldwin County; one (1) and only one (1) regular member may be a qualified elector who resides in the corporate limits of a Baldwin County municipality. All regular members shall serve a term of four (4) years each except when filling a vacant place seat (which shall be for the balance of the unexpired term). All temporary members shall serve a one-time term of three (3) years each and represent, respectively and singularly, a new Planning (Zoning) district which elects to come within the planning and zoning authority of the Baldwin County Commission. A temporary member shall be a qualified elector from the new Planning (Zoning) District. In the event

of any vacancy, such vacancy shall be filled by appointment of the Baldwin County Commission.

All members of the Planning and Zoning Commission shall serve without compensation and no member shall be a county officer or employee.

Furthermore, Section 45-2-261.40 of the Code of Alabama 1975 authorizes the Baldwin County Commission to appoint real estate agents or other persons in the field of real estate to the Planning and Zoning Commission; however, such number shall not exceed three (3) members.

The Baldwin County Planning and Zoning Commission term of Mr. Marvin Dewane Hayes expired on June 30, 2019. The Planning Department staff now respectfully requests the appointment of Mr. Robert Davis to fill the place seat and expired term formerly held by Mr. Hayes, said term to commence on August 20, 2019, and expire on June 30, 2023.

Mr. Davis is a qualified elector of Baldwin County, he is not a county employee or officer, and is not involved in real estate. Planning staff has verified that this appointment meets the qualifications to be appointed to the Baldwin County Planning and Zoning Commission.

A list of the current Planning Commission membership is attached to this agenda item for the convenience of the Commissioners.

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: Commission Administration Office

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

Mr. Robert Davis
17138 County Road 34 South
Summerdale, Alabama 36580

Send thank you letter to:

Mr. Marvin Dewane Hayes
28551 Rose Run Road
Robertsdale, Alabama 36567

CC:
Vince Jackson
DJ Hart

Additional instructions/notes: N/A