



Baldwin County Commission

Legislation Text

File #: 19-2123, **Version:** 1

Meeting Type: BCC Regular Meeting

Meeting Date: 10/1/2019

Item Status: New

From: Wayne A. Dyess, County Administrator

Submitted by: Tawanda Gulley, Administrative Support Specialist

ITEM TITLE

Perdido Bay Water, Sewer and Fire Protection District - Board Appointment

STAFF RECOMMENDATION

Related to the Perdido Bay Water, Sewer and Fire Protection District Authority, take the following action:

1. Re-appoint Ms. Jean Ray as a member of the Board of Directors for a four (4) year term, said term to commence on November 1, 2019, and expire on October 31, 2023.

BACKGROUND INFORMATION

Previous Commission action/date: N/A

Background:

PART I - BACKGROUND:

The Perdido Bay Water, Sewer and Fire Protection District is a public corporation established in 1976, pursuant to Act No. 20, 1970 Special Session of the Legislature of Alabama, which is now codified at §11-89-1, et seq., Code of Alabama, 1975. Further, when the Perdido Bay Water, Sewer and Fire Protection District was established in 1976, the Board of Directors was composed of thirteen (13) members. Today, this District is composed of a five (5) member Board of Directors appointed by the County Commission to serve, respectively, terms of four (4) years each.

Please note that there remains required qualifications set forth in §11-89-6, et seq., Code of Alabama, 1975, for citizens to be appointed to the District. The required qualifications are:

- 1) Nominee must be a duly qualified elector (i.e. registered voter) in Baldwin County.
- 2) Nominee must be a subscriber on the District System (i.e. member of the corporation).
- 3) Nominee cannot be an officer of the State, County or municipality during tenure of office.

Lastly, there is a provision in §11-89-6, et seq., Code of Alabama, 1975, which requires appointments be made no earlier than thirty (30) days prior to the date such person will take office.

PART II - BACKGROUND ON MS. JEAN RAY:

The Perdido Bay Water, Sewer and Fire Protection District has proposed for Ms. Jean Ray to be re-appointed as a member of the Board of Directors (see attachment #1). Through correspondence from the Perdido Bay Water, Sewer and Fire Protection District, staff has verified that Ms. Ray is 1) a duly qualified elector (i.e. registered voter) of Baldwin County Alabama, 2) a subscriber or member of the corporation, and 3) is not an officer of the State, County or municipality.

Therefore, staff confirms Ms. Ray meets the requirements set forth in §11-89-6, et seq., Code of Alabama, 1975, to be re-appointed to the Board of Directors of the Perdido Bay Water, Sewer and Fire Protection District.

Staff asserts this re-appointment is at the discretion of the County Commission and the Commission can either re-appoint Ms. Ray or another qualified citizen of its choice.

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 Staff

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

Administration Send Correspondence to:

Ms. Jean Ray
12154 County Road 99
Lillian, Alabama 36549

cc:
Rucker Staggers, Vice Chairman
Perdido Bay Water, Sewer and Fire Protection District
28171 Freshwater Lane
Elberta, Alabama 36530

Additional instructions/notes: N/A