



# Baldwin County Commission

## Legislation Text

---

**File #:** 20-0107, **Version:** 1

---

**Meeting Type:** BCC Regular Meeting

**Meeting Date:** 11/5/2019

**Item Status:** New

**From:** Wayne Dyess, County Administrator

**Submitted by:** Victoria Key, Administrative Support Specialist II

---

### **ITEM TITLE**

Baldwin County Library Board - Board Appointment(s)

### **STAFF RECOMMENDATION**

Related to the Baldwin County Library Board (Baldwin County Cooperative, Inc.), take the following actions:

- 1) Appoint Mr. Chad Yarbrough as a member of the board to fill the place-seat formerly held by Mr. Walter Penry for a pro-rata reduced four (4) year term, said term to commence on November 5, 2019, and expire on October 1, 2021; and
- 2) Thank Mr. Walter Penry for his former civic service as a board member; and
- 3) Appoint Ms. Diane Sims as a member of the board to fill the place seat formerly held by Mr. Benjamin Bailey for a pro rata-reduced four (4) year term, said term to commence on November 5, 2019, and expire on October 1, 2020; and
- 4) Thank Mr. Benjamin Bailey for his former civic service as a board member; and
- 5) Appoint Ms. Donna Bing as a member of the board to fill the place seat formerly held by Ms. Betty Suddeth for a pro-rata reduced four (4) year term, said term to commence on November 5, 2019, and expire on October 1, 2022; and
- 6) Thank Ms. Betty Suddeth for her former civic service as a board member.

### **BACKGROUND INFORMATION**

**Previous Commission action/date:** August 20, 2019

**Background:** Commissioner Underwood has nominated the following person(s) to the board:

Mr. Chad Yarbrough, of Fairhope

Ms. Diane Sims, of Foley  
Ms. Donna Bing, of Fairhope

Email request was received on October 3, 2019, from Ms. Liz Reed, Director of the Baldwin County Library Cooperative, to fill three place seats on the Baldwin County Library Board, which have expired. Ms. Reed has submitted a list of possible candidates for the board. (see attached).

The Baldwin County Commission created the Baldwin County Library Board during its April 2, 1963, regular meeting, pursuant to the authority granted the County Commission per Title 55 §285, 286, 287 & 289, Code of Alabama 1975 Recompiled 1958, as a five (5) member Library Board to supervise the business of the, then, county library. Today, the county library is called the "Baldwin County Library Cooperative, Inc."

In 1975, the Alabama Legislature recompiled the General Laws of Alabama, found within and known, at that time, as the Code of Alabama Recompiled 1958, into what, today, is known as the Code of Alabama 1975. Within the Code of Alabama 1975, specifically at §11-90-1, et seq., remains, substantively, the provisions found at Title 55 §285, 286, 287 and 289, Code of Alabama Recompiled 1958. Therefore, per §11-90-1, et seq., specifically §11-90-2, Code of Alabama 1975, the County Commission is authorized and required to appoint all members to the five (5) member library board known as the Baldwin County Library Board.

While the "Baldwin County Library Cooperative, Inc." is a non-profit corporation established in 2000, its governing records require the County Commission to appoint the membership of the board pursuant to the above cited Alabama law found at §11-90-1, et seq., of the Code of Alabama 1975.

Today, all members of the five (5) member Baldwin County Library Board serve four (4) year terms, each, through appointment by the Baldwin County Commission and are disallowed from receiving compensation for their service on said board. Notably, the governing law sets forth no required qualifications for appointments/re-appointments on this board.

## **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:** N/A

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

Administration Send Correspondence to:

Mr. Chad Yarbrough  
19117 Fairfield Drive  
Fairhope, Alabama 36532

Ms. Diane Sims  
7634 Hoppes Drive  
Foley, Alabama 36535

Ms. Donna Bing  
20700 Kenneth King Lane  
Fairhope, Alabama 35432

Thank you Letters to:

Mr. Walter Penry  
12040 County Road 54  
Daphne, Alabama 36526

Mr. Benjamin Bailey  
P.O. Box 95  
Stockton, Alabama 36579

Ms. Betty Suddeth

107 South School Street  
Fairhope, Alabama 36532

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