



Baldwin County Commission

Legislation Text

File #: 20-0224, **Version:** 1

Meeting Type: BCC Regular Meeting
Meeting Date: 11/19/2019
Item Status: New
From: Wayne Dyess, County Administrator
Submitted by: Michelle Howard, Commission Executive Assistant

ITEM TITLE

North Baldwin County Health Care Authority Board - Board Appointment(s)

STAFF RECOMMENDATION

As related to the North Baldwin County Health Care Authority, take the following actions:

- 1) Re-appoint Mr. Dennis Goodwin as a member (Slot 2) to a six (6) year term, said term to commence on January 1, 2020, and expire on January 1, 2026; and
- 2) Re-appoint Mr. Jason Padgett as a member (Slot 5) to a six (6) year term, said term to commence on January 1, 2020, and expire on January 1, 2026; and
- 3) Re-appoint Mr. Robert Zarr as a member (Slot 9) to a six (6) year term, said term to commence on January 1, 2020, and expire on January 1, 2026.

BACKGROUND INFORMATION

Previous Commission action/date:

December 5, 2017 - Last BCC Board Appointment

Background: Jason M. Padgett, President of the Board of Directors of the North Baldwin County Health Care Authority submitted correspondence dated October 14, 2019, including a Resolution to the Baldwin County Commission with a proposed a list of nine (9) nominees each for three (3) seats or places which respective terms of office will expire on January 1, 2026.

The aforementioned copy of the Authority's Resolution is required to be submitted, within statutorily set time parameters and in resolution/certified form, to the Commission pursuant to Alabama law, specifically, §22-21-352, Code of Alabama 1975, which is found within "The Health Care Authorities Act of 1982" [codified collectively at §22-21-310, et seq., Code of Alabama 1975].

In relation to such certified Resolution, the Commission is required to choose only one (1) nominee,

of the nine (9) nominees, set forth in the Resolution for each seat or place which terms of office will expire.

Please note that the certified Resolution was received by the Commission within the statutorily required time parameters and form, prescribed in §22-21-352, Code of Alabama 1975, in order for the Commission to consider applicable action. Specifically, within the Code of Alabama 1975, at §22-21-352 (a)(2) remain the time parameters and form governing submittal of the certified Resolution such applicable portions as follows:

(2) That in the case of a vacancy resulting from the expiration of the stated term of office of any such director, the board shall, not more than 90 nor less than 10 days prior to the expiration of such term of office (or in case of a vacancy resulting from the death or resignation of any such director or from a cause other than the expiration of the stated term of office of any such director, within 30 days following the occurrence of such vacancy):

- a. By resolution duly adopted, propose a list of nominees (not less than three in number) for each place or seat on the board that is or is to become vacant as aforesaid; and
- b. Cause a certified copy of such resolution to be filed with the governing body of the authorizing subdivision or subdivisions empowered to elect or appoint such director.

Applicable Portions - (Acts 1987, No. 87-745, p. 1458, §3.)

Further, please note that there remain no "required qualifications" set forth in §22-21-310, et seq., Code of Alabama 1975 for citizens to be appointed to the Authority. However, within §22-21-316, Code of Alabama 1975, such "required qualifications" are self-imposed by the Authority through their Certificate of Reincorporation, as amended by the Authority on December 17, 2001, which requires that they only be "residents of Baldwin County, Alabama."

Therefore, the Authority submitted its Resolution on time for the Commission to act upon and set forth a proposed list of nine (9) nominees for the three (3) seats or places which will expire on January 1, 2026.

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 - Send correspondence to:

Mr. Dennis Goodwin
1200 Forest Park Avenue
Bay Minette, Alabama 36507

Mr. Robert Zarr
45480 Lac Road
Bay Minette, Alabama 36507

Mr. Jason M. Padgett
President, North Baldwin County Health Care Authority
P. O. Box 1463
Bay Minette, Alabama 36507

Cc:

Ms. Jennifer Harrison
Executive Assistant, North Baldwin Infirmary
1815 Hand Avenue
Bay Minette, Alabama 36507

Via email: jpadgett@nbumail.com

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

Additional instructions/notes: N/A