



# Baldwin County Commission

## Legislation Text

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**File #:** 21-0717, **Version:** 1

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**Meeting Type:** BCC Regular Meeting

**Meeting Date:** 4/6/2021

**Item Status:** New

**From:** Matthew Brown, Interim Planning and Zoning Director

**Submitted by:** DJ Hart, Planning Technician

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### **ITEM TITLE**

Baldwin County Planning and Zoning Commission - Board Appointment(s)

### **STAFF RECOMMENDATION**

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

- 1) Accept the resignation of Mr. Kevin Murphy (BCC District 4 Nominee), effective February 2, 2021, and thank Mr. Murphy for his prior civic service as a member of the Board; and
- 2) Appoint Mr. David Gregory (Greg) Seibert as a regular member of the Board (BCC District 4 Nominee) for a four (4) year pro-rata reduced term, to fill the place seat and unexpired term formerly held by Mr. Kevin Murphy, said term to commence on April 6, 2021, and expire on December 2, 2021.

### **BACKGROUND INFORMATION**

**Previous Commission action/date:** March 2, 2021 - Last BCC action related to this board

**Background:** Due to the recent resignation of Mr. Kevin Murphy, the Baldwin County Planning and Zoning Commission currently has one (1) vacancy. The Planning staff therefore respectfully requests the appointment of Mr. David Gregory Seibert as a regular member to fill the place-seat and unexpired term formerly held by Mr. Murphy, said term to commence on April 6, 2021, and expire on December 2, 2021.

Mr. Seibert is a BCC District 4 nominee and is a resident of unincorporated Baldwin County. He is a qualified elector of Baldwin County, 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.

### **GENERAL INFORMATION:**

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 filing 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 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.

### **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. David Gregory Seibert  
24147 Seibert Rd  
Elberta, Alabama 36530

Send thank you letter to:

Mr. Kevin Murphy  
16424 Co Rd 26  
Foley, Alabama 36535

CC:  
Matthew Brown  
DJ Hart

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