



Baldwin County Commission

Legislation Text

File #: 22-0016, Version: 1

Meeting Type: BCC Regular Meeting

Meeting Date: 10/5/2021

Item Status: New

From: Commissioner James E. Ball, District 1

Submitted by: Anu Gary, Administrative Services Manager

ITEM TITLE

Request to the Baldwin County Legislative Delegation Regarding Compensation and Minimum Qualifications Criteria for Baldwin County Coroner

STAFF RECOMMENDATION

Authorize the Chairman to execute correspondence to the Baldwin County Legislative Delegation, on behalf of the Baldwin County Commission, requesting the Baldwin County Legislative Delegation to consider and pass legislation increasing the annual compensation and required minimum qualifications criteria for the position of Coroner of Baldwin County, Alabama.

Specifically, the Commission is requesting the Legislative Delegation to consider the following:

- 1) Effective 2026 term of Coroner, to qualify to run for the position of Coroner of Baldwin County, Alabama, in addition to all other existing requirements by the State of Alabama and local Baldwin County law, the candidate must be certified by the American Board of Medicolegal Death Investigators (ABMDI).
- 2) Effective 2022 term of Coroner, increase the current annual salary of \$17,196.60, to \$52,000.00 annually, including annual COLA raises and other benefits provided to other elected County officials.

BACKGROUND INFORMATION

Previous Commission action/date: August 16, 2021, and September 7, 2021, BCC Work Sessions.

Background: Commissioner Ball requests for the Baldwin County Commission to submit a formal request to the Baldwin County Legislative Delegation to increase the standard qualifications and annual compensation for the position for Coroner of Baldwin County, Alabama. ***See attached draft letter to BC Legislative Delegation.***

Alabama Code Section 45-2-60 (Baldwin County Local Law)

Expense allowance; salary.

(a) The coroner of Baldwin County shall receive an additional expense allowance of five hundred dollars (\$500) per month which shall be paid from the county general funds. The expense allowance shall be in addition to any salary and other expense allowance heretofore provided to such officer.

(b)(1) The Coroner of Baldwin County shall receive an additional expense allowance not to exceed six hundred dollars (\$600) per month, the amount of which shall be determined by the county governing body and paid from the county general fund. The expense allowance shall be in addition to any salary and other expense allowance heretofore provided to the coroner, including the expense allowance provided in subsection (a).

(2) Beginning with the expiration of the term of the incumbent coroner, the salary for the coroner shall be increased by the amount of the then existing expense money allowable, payable in equal monthly installments from the general fund of the county and at that time subdivision (1) shall become null and void.

(c) In Baldwin County, the coroner shall be entitled to the same cost of living increase percentage granted to other public officials pursuant to Act 2000-108. If an increase is due during the term of the coroner, the increase shall be in the form of an expense allowance which will convert to salary effective the next term of office.

(Act 79-653, p. 1133, §1; Act 93-572, p. 953, §§12; Act 2000-437, p. 797, §1.)

Alabama Code Section 11-5-33

Coroner qualifications.

(a) No person shall be eligible to hold the office of coroner unless he or she meets the following qualifications:

(1) Is a citizen of the United States.

(2) Is a resident in the county in which he or she seeks the office of coroner for at least one year prior to his or her qualifying for election to the office and remains a resident of the county during his or her term of office.

(3) Is a registered voter.

(4) Has attained the age of 25 years prior to the date of the general primary election in the year that he or she qualifies for election to the office.

(5) Has obtained a high school diploma or its recognized equivalent.

(6) Has not been convicted of a felony offense or any offense involving moral turpitude contrary to the

laws of Alabama, or any other state, or the United States.

(7) Has successfully completed the next scheduled training course no longer than 180 days after his or her election or appointment, unless an affidavit affirms that the requirement of this subdivision has been met at the time of qualifying for the office.

(b) Each person offering his or her candidacy for the office of coroner shall file an affidavit with the judge of probate before whom the person has qualified to seek the office of coroner prior to or at the time of qualifying, which affidavit shall affirm that he or she meets all the qualifications required pursuant to this section.

(Act 2006-581, p. 1527, §4.)

Alabama Code Section 45-2-61.01 (Baldwin County Local Law)

Qualifications.

The county coroner must have a high school education or an equivalent degree. The county coroner prior to beginning his or her first term and all deputy coroners prior to their first such appointment shall complete at least a 20-hour coroner's death investigation course comparable to the standard course designed for death investigators by the National Association of Medical Examiners. After their first year of service, all coroners and deputy coroners shall attend not less than 20 hours of coroner's death investigation training during each calendar year that they serve and certification made and recorded in the Probate Office of Baldwin County.

(Act 92-691, 2nd Sp. Sess., p. 78, §2.)

Section 11-2A-4 (OMNIBUS Act)

Compensation increases.

(a) After August 1, 2016, the local officials covered by this chapter shall be entitled to receive the same uniform increases in compensation, whether the uniform increases are based on a percentage of compensation or a flat dollar amount, that are granted equally to all county employees by the county commission. The increases shall be in the same amount or percentage, as the case may be, as that amount or percentage increase provided to the county's employees.

Except as otherwise provided herein, officials in Category 2 shall be eligible for the cost-of-living increases beginning on October 1, 2000. If the implementation of this chapter increases the compensation of an incumbent office holder, the increase shall be paid as provided in subdivision (5) of Section 11-2A-2. The base compensation for the purposes of implementation of this subsection shall be that compensation established on October 1, 2000, and shall remain those respective amounts until increased as provided under the provisions of this chapter.

(b) Any provision of this chapter to the contrary notwithstanding, the Legislature, by local law, may increase the compensation for local officials covered under this chapter. However, if a local law increases the compensation of a local official, such local official shall not be entitled to any uniform increases pursuant to the procedure in subsection (a), until such time as the total compensation he or she would have received under subsection (a) is equal to or exceeds the increase provided by the local law.

(Act 2000-108, p. 148, §4; Act 2016-335, §1.)

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?
Yes.

Reviewed/approved by: Approved by County Attorney 09/17/2021 akc

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: Email signed request letter to Cliff McCollum, Baldwin County Legislative Delegation

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

Additional instructions/notes: N/A

