



# Baldwin County Commission

## Legislation Text

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**File #:** 23-1099, **Version:** 1

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**Meeting Type:** BCC Regular Meeting

**Meeting Date:** 5/2/2023

**Item Status:** Addendum

**From:** Ronald J Cink, Budget Director/Interim County Administrator

**Submitted by:** Jeanette Brown, Administrative Support Specialist IV

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### **ITEM TITLE**

East Central Baldwin County Water, Sewer, and Fire Protection Authority - Board Appointment(s)

### **STAFF RECOMMENDATION**

Related to the East Central Baldwin County Water, Sewer, and Fire Protection Authority, re-appoint Mr. Carl Davis for a pro-rata reduced six (6) year term, said term continuing from March 1, 2023, and expiring March 1, 2029.

### **BACKGROUND INFORMATION**

**Background:** Staff received correspondence from Mr. Rick Hale, Board Vice-Chairman, of the East Central Baldwin County Water, Sewer, and Fire Protection Authority Board, dated April 25, 2023, requesting Mr. Carl Davis be re-appointed to the East Central Baldwin County Water, Sewer, and Fire Protection Authority Board.

On its initial inception, the Authority was composed as a three (3) member Board of Directors and, today, by actions taken by the Authority in the late 1990's and in 2004, is composed of a five (5) member Board of Directors appointed by the Commission to serve, respectively, terms of six (6) years each.

Please note that there remain "required qualifications" set forth in §11-88-6 Code of Alabama 1975 for citizens to be appointed to the Authority. The "required qualifications" are for nominees to:

1. Be a duly qualified elector (i.e. registered voter) in Baldwin County; and
2. Be a resident of that part of the service area of the Authority; and
3. Be an owner of real property in that part of the service area of the Authority; and
4. Cannot be an officer of the state, county or municipality during tenure of office.

Staff has verified that the nominee meets the above requirements. Furthermore, on this Authority, all regular appointments, and appointments to vacancies, are made by the Baldwin County Commission.

Lastly, there is a provision in §11-88-6 Code of Alabama 1975 which requires appointments to be

made no earlier than thirty (30) days prior to the date such appointment is to be effective [i.e. the Baldwin County Commission can't make appointments thirty-one (31) days or more in advance to an expiring Board Member's term.]

**Previous Commission action/date:** 04/04/2023 - Last BCC board appointment.

### **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**

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**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

**Action required (list contact persons/addresses if documents are to be mailed or emailed):**  
Administration send correspondence as follows:

### **Appointment letter to:**

Mr. Carl Davis  
25281 Coopers Cemetery Road  
Robertsdale, Alabama 36567

Cc: Rick Hale, Board Vice-Chairman via email [office@eastcentralbaldwinwater.com](mailto:office@eastcentralbaldwinwater.com)  
Ryan Frolik, General Manager via email [ryanfrolik@eastcentralbaldwinwater.com](mailto:ryanfrolik@eastcentralbaldwinwater.com)

**Additional instructions/notes:** Administration-update board list and upload to BCAP, Send notification email.