

**BALDWIN COUNTY COMMISSION
AGENDA ACTION FORM**

Meeting Type:	Baldwin County Commission – Regular
Meeting Date:	11/01/2016
Placement of Item on the Agenda:	CONSENT AGENDA: - ADMINISTRATION
Item Status:	New
Submitted By:	Brandy N. Volovecky
From:	Ronald J. Cink, County Administrator/Budget Director
ITEM TITLE	
East Central Baldwin County Water, Sewer and Fire Protection Authority - Board Appointment	
STAFF RECOMMENDATION	
<p>As relates to the East Central Baldwin County Water, Sewer and Fire Protection Authority, take the following actions:</p> <p>1) Accept the resignation of Mr. Craig Smith, effective October 5, 2016, and thank him for his civic service as a member of this board; and</p> <p>2) Appoint Mr. Wayne Kelpen to the place seat (place seat #5) formerly held by Mr. Craig Smith, for a pro-rata reduced six (6) year term, said term commencing on November 1, 2016, and expiring on March 1, 2019.</p>	
BACKGROUND INFORMATION	
Previous Commission Action/Background Information:	No
<p>The East Central Baldwin County Water, Sewer and Fire Protection Authority (Authority) is a public corporation initially established in 1987, pursuant to, and it statutorily governed by, §11-22-1, et seq., <u>Code of Alabama</u> 1975; further, when established, in 1987, this Authority changed its name to the "East Central Baldwin County Water and Fire Protection Authority" and in 2008 the Authority, again, changed its name to "East Central Baldwin County Water, Sewer and Fire Protection Authority." 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</p>	

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 remains "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. Can not 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 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 County Commission can't make appointments thirty-one (31) days or more in advance to an expiring Board Member's term]. In this case, the County Commission is making the appointments on November 1, 2016, to be effective on November 1, 2016, and expiring as set forth in the above staff recommendation, respectively, which is compliant to said law.

FINANCIAL IMPACT	
Does the recommendation have a financial impact?	No
LEGAL IMPACT	
Are there any legal documents required to be executed if this recommendation is approved?	No
ADVERTISING REQUIREMENTS	
Is advertising required for this recommendation?	No
CONSISTENCY WITH B.C. STRATEGIC PLAN - 2006-2016	
Is the recommendation applicable to the goals set forth in the Strategic Plan?	Yes
POLICY IMPACT	
Is the recommendation consistent with Commission Policy?	Yes
PERSONNEL IMPACT	
Does the recommendation have personnel impact?	No
IMPLEMENTATION	
Is implementation for this item time sensitive?	No
Department(s)/Individual(s) responsible for follow up activities and specific actions required:	Administration: Appointment Letter to: Mr. Wayne Kelpen 21881 Peacock Lane

	Robertsdale, Alabama 36567 Thank You Letter to: Mr. Craig Smith 26011 County Road 71 Robertsdale, Alabama 36567
ATTACHMENTS	
1. Current Board List - East Central Baldwin County Water, Sewer and Fire Protection Authority.pdf 2. Craig Smith - Resignation.pdf	
APPROVALS	
Budget	
Personnel	
Administration	Anu Gary 10/25/2016 10:47:08 AM
Chairman and County Administrator	Chris Elliott 10/26/2016 6:38:47 PM