



## COUNTY COMMISSION

BALDWIN COUNTY  
312 Courthouse Square, Suite 12  
Bay Minette, Alabama 36507  
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(251) 580-2500 Fax  
agary@baldwincountyal.gov  
www.baldwincountyal.gov

ANU GARY  
Records Manager  
MONICA E. TAYLOR  
Assistant Records Manager

March 3, 2015

Dr. Rob Burns  
Pastor  
East Pointe Baptist Church  
Post Office Box 7517  
Spanish Fort, Alabama 36577-7517

**RE: Voting Precinct No. 45 (Spanish Fort North) — Use of East Pointe Baptist Church as a Voting Place**

Dear Dr. Burns:

Please find enclosed a **fully executed copy** of the *Agreement* approved during the February 3, 2015, Baldwin County Commission meeting between the Commission and East Pointe Baptist Church, for the provision of the use of the Voting Place (East Pointe Baptist Church, Blakeley/North Greater Spanish Fort area) for Baldwin County Voting Precinct 45. This *Agreement* also authorizes county personnel to accomplish external grounds-cleaning on the grounds of the Voting Place for Baldwin County Voting Precinct 45 after any election, and an expenditure not to exceed \$235.00, from Baldwin County Elections Contract Services Fund 51910.5150, to accomplish the provision of professional cleaning services in the Voting Place for Baldwin County Voting Precinct 45 after any election.

The *Agreement* commenced on February 3, 2015, and shall expire in thirty-six (36) months, on February 3, 2018.

If you have any questions or need further assistance, please do not hesitate to contact Ron Cink, Budget Director/Interim County Administrator, at (251) 580-2550.

Sincerely,

ANU GARY, Records Manager  
Baldwin County Commission

AG/met Item BA4

cc: Ron Cink  
Kim Creech  
Cal Markert  
Madison Steele

ENCLOSURE

STATE OF ALABAMA     )  
COUNTY OF BALDWIN    )

RECEIVED  
FEB 23 2015  
BY: M G

**AGREEMENT**

WHEREAS, the EAST POINTE BAPTIST CHURCH (hereinafter referred to as “EAST POINTE BAPTIST CHURCH”) is a religious institution located at 34742 Alabama State Highway 225 in Baldwin County, Alabama; and

WHEREAS, the BALDWIN COUNTY COMMISSION (hereinafter referred to as the “COMMISSION”) remains the honorable county governing body of Baldwin County, Alabama; and

WHEREAS, in an effort to maintain a Voting (Polling) Place in Voting (Polling) Precinct No. 45, the COMMISSION seeks the utilization of the EAST POINTE BAPTIST CHURCH as the Voting (Polling) Place for Voting (Polling) Precinct No. 45; and

WHEREAS, the COMMISSION is authorized to establish Voting (Polling) Precincts and Voting (Polling) Places, for use in applicable elections, in accordance with §17-6-1, et seq., Code of Alabama 1975; and

WHEREAS, the COMMISSION has respectfully asked that the EAST POINTE BAPTIST CHURCH be used as the Voting (Polling) Place for Voting (Polling) Precinct No. 45 in Baldwin County, Alabama, and recognizes that the provision, by the COMMISSION, of professional cleaning services and grounds-cleaning after each instance of voting and balloting will enable the utilization of the EAST POINTE BAPTIST CHURCH as a Voting (Polling) Place which will benefit citizens in the affected area comprising Voting (Polling) Precinct No. 45 in their exercise of the electoral franchise.

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, the parties hereby, do AGREE as follows:

1. The EAST POINT BAPTIST CHURCH shall be utilized as a Voting (Polling) Place for Voting (Polling) Precinct No. 45 in Baldwin County, Alabama, which will benefit citizens in the affected area comprising Voting (Polling) Precinct No. 45 in their exercise of the electoral franchise.
2. The EAST POINT BAPTIST CHURCH, as a designated Voting (Polling) Place, shall ensure that the premises utilized for Voting (Polling) has a nondiscriminatory policy, and said premises shall be made available to the electorate of such Voting (Polling) Precinct, regardless of race, age, gender, religion, language or disability as protected by applicable state and / or federal law, in their exercise of the electoral franchise.

3. The COMMISSION shall provide the EAST POINTE BAPTIST CHURCH with the following:
  - i) Professional cleaning services after each of the dates in which such Voting (Polling) Place was utilized; and
  - ii) Aesthetic and external grounds cleaning after each of the dates in which such Voting (Polling) Place was utilized.
4. The EAST POINTE BAPTIST CHURCH represents and warrants to the COMMISSION that its premises used for voting under this Agreement are reasonably safe and suitable for the purposes of this Agreement, and that, subject to said representation and warranty, the COMMISSION shall indemnify and hold the EAST POINTE BAPTIST CHURCH harmless from any and all claims of whatsoever kind or character which may arise or be made and which are in any way related to or resulting from the EAST POINTE BAPTIST CHURCH being utilized as a Voting (Polling) Place.
5. This Agreement represents the entire terms and conditions of the Agreement between the COMMISSION and the EAST POINTE BAPTIST CHURCH, either express or implied. This Agreement can be amended only by written amendment executed by the COMMISSION and the EAST POINTE BAPTIST CHURCH.
6. This Agreement and the relationship created hereby does not in any manner create, imply or otherwise vest, any authority in the EAST POINT BAPTIST CHURCH on behalf of the COMMISSION. Furthermore, this Agreement hereby expressly forbids the creation of an agency relationship or any action that would create or imply that the EAST POINTE BAPTIST CHURCH is an agent of the COMMISSION.
7. This Agreement shall be in effect for a period of thirty-six (36) months, or in a shorter time as determined by the COMMISSION, commencing February 3, 2015, and expiring February 3, 2018, and shall immediately become void upon the COMMISSION accomplishing any electoral changes which negate the utilization of the EAST POINTE BAPTIST CHURCH as a Voting (Polling) Place as determined by the COMMISSION in its discretion. Notwithstanding the above, the EAST POINT BAPTIST CHURCH reserves the right to terminate this Agreement only upon written notice provided to the COMMISSION and after the expiration of one hundred and fifty (150) days, said notice provided to the Chairman of the Baldwin County Commission.

IN WITNESS WHEREOF, the parties, by and through their duly authorized representatives, have affixed their hands and seals this date, as follows:

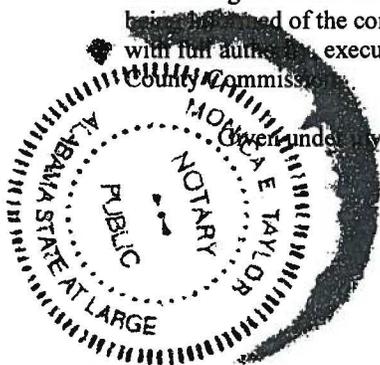
**BALDWIN COUNTY COMMISSION**

Charles F. Gruber  
CHARLES F. GRUBER  
As Its: Chairman  
Date: 3-3-15

STATE OF ALABAMA )  
COUNTY OF BALDWIN )

I, the undersigned authority, a Notary Public, in and for Baldwin County, Alabama, and the State of Alabama, hereby certify that CHARLES F. GRUBER, as Chairman of the Baldwin County Commission, whose name is signed to the foregoing instrument and who is known by me, acknowledged before me and on this day that he is the author of the contents of said instrument, he, as such Chairman of the Baldwin County Commission, and with full authority executed the same voluntarily on the day the same bears date for and as an act of said Baldwin County Commission.

Given under my hand and seal this the 3<sup>rd</sup> day of March, 2015.



Monica E. Taylor  
NOTARY PUBLIC My Commission Expires 09/05/2016  
My Commission expires: \_\_\_\_\_

**EAST POINTE BAPTIST CHURCH**

Walt Frazier  
WALT FRAZIER  
As Its: Member, Board of Trustees  
Date: 2-20-2015

Billy Mills  
BILLY MILLS  
As Its: Member, Board of Trustees  
Date: 2-15-15

Cleve Gantt  
CLEVE GANTT  
As Its: Member, Board of Trustees  
Date: 2/15/2015

**NOTARY PAGE TO FOLLOW**

STATE OF ALABAMA )  
COUNTY OF BALDWIN )

I, the undersigned authority, a Notary Public, in and for Baldwin County, Alabama, and the State of Alabama, hereby certify that WALT FRAZIER, as a Member of the Board of Trustees of the East Pointe Baptist Church, whose name is signed to the foregoing instrument and who is known by me, acknowledged before me and on this day that, being informed of the contents of said instrument, he, as such Member of the Board of Trustees of the East Pointe Baptist Church, and with full authority, executed the same voluntarily on the day the same bears date for and as an act of said East Pointe Baptist Church.

GIVEN under my hand and seal this the 20<sup>th</sup> day of February, 2015.

Nancy Lindsay  
NOTARY PUBLIC  
My Commission expires: 3/28/2015

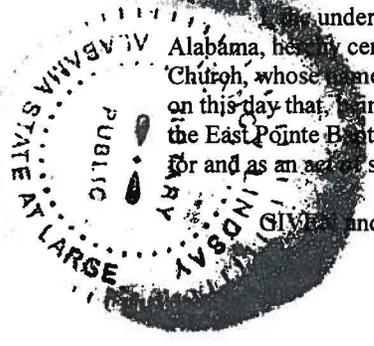


STATE OF ALABAMA )  
COUNTY OF BALDWIN )

I, the undersigned authority, a Notary Public, in and for Baldwin County, Alabama, and the State of Alabama, hereby certify that BILLY MILLS, as a Member of the Board of Trustees of the East Pointe Baptist Church, whose name is signed to the foregoing instrument and who is known by me, acknowledged before me and on this day that, being informed of the contents of said instrument, he, as such Member of the Board of Trustees of the East Pointe Baptist Church, and with full authority, executed the same voluntarily on the day the same bears date for and as an act of said East Pointe Baptist Church.

GIVEN under my hand and seal this the 15 day of February, 2015.

Nancy Lindsay  
NOTARY PUBLIC  
My Commission expires: 3/28/2015



STATE OF ALABAMA )  
COUNTY OF BALDWIN )

I, the undersigned authority, a Notary Public, in and for Baldwin County, Alabama, and the State of Alabama, hereby certify that CLEVE GANTT, as a Member of the Board of Trustees of the East Pointe Baptist Church, whose name is signed to the foregoing instrument and who is known by me, acknowledged before me and on this day that, being informed of the contents of said instrument, he, as such Member of the Board of Trustees of the East Pointe Baptist Church, and with full authority, executed the same voluntarily on the day the same bears date for and as an act of said East Pointe Baptist Church.

GIVEN under my hand and seal this the 15<sup>th</sup> day of February, 2015.

Nancy Lindsay  
NOTARY PUBLIC  
My Commission expires: 3/28/2015

