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RECORDED
STATE OF ALABAMA
BALDWIN COUNTY
1000
FEBRUARY 1993
JUDGE OF PROBATE

RESOLUTION

FOR

PLANNING JURISDICTION MAY 17 2 10 PM '93

BETWEEN

THE BALDWIN COUNTY COMMISSION
AND
ROBERTSDALE

RECORDED
STATE OF ALABAMA
BALDWIN COUNTY
1000
FEBRUARY 1993
JUDGE OF PROBATE
50

WHEREAS, the BALDWIN COUNTY COMMISSION, hereinafter referred to as "the COMMISSION" and ROBERTSDALE, hereinafter referred to as "the MUNICIPALITY" desire to enter into an agreement concerning the areas of their respective planning jurisdictions, with the COMMISSION having responsibility for the review of subdivisions in the unincorporated areas of the County planning jurisdiction of any other municipality in Baldwin County, and the MUNICIPALITY having particular responsibility for the review of subdivisions located inside its corporate limits and all land lying within its planning jurisdiction; and

WHEREAS, State law authorizes a municipality to exercise such planning jurisdiction up to five (5) miles outside its corporate limits and not located in any other municipality;

NOW, THEREFORE, THE COMMISSION AND THE MUNICIPALITY do hereby mutually agree as follows:

1. The MUNICIPALITY'S planning jurisdiction shall include all land located inside its corporate limits and all land lying beyond its corporate limits as described on the attached "EXHIBIT A" and not located in any other municipality; provided, however, that the MUNICIPALITY may extend the territorial jurisdiction for planning to all land lying within five (5) miles of the corporate limits of the MUNICIPALITY and to any other territory which may be included on amendment of existing law, and not located in any other municipality, by adoption of a resolution extending said territorial jurisdiction, and submission of same to the COMMISSION which shall concur in such jurisdiction extension to the limit allowed by current law at its next meeting following receipt of the MUNICIPALITY'S resolution.

2. The MUNICIPALITY will exercise review authority over all subdivision developments within the area described in Exhibit A; provided, however, that if any part of a proposed subdivision lies within the MUNICIPALITY'S planning jurisdiction as described in "EXHIBIT A", then the MUNICIPALITY and not the COMMISSION will have responsibility for review of said subdivision.

3. The MUNICIPALITY will submit a copy of each plat approved within its extraterritorial planning jurisdiction to the County Engineer for his approval as required in Section 11-52-30 of the Code of Alabama, prior to such plat being filed for recording with the Judge of Probate of Baldwin County. The more strict requirements, whether of the municipality or of the county, must be complied with by the developer.

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Baldwin County Commission
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4. The COMMISSION will exercise review authority through the Baldwin County Planning Commission over all subdivision developments lying outside the MUNICIPALITY'S planning jurisdiction of any other municipality in Baldwin County; provided that, where a proposed subdivision lies partly in the COMMISSION'S planning jurisdiction and partly in the MUNICIPALITY'S planning jurisdiction, it shall be the MUNICIPALITY'S responsibility to review said subdivision as described in Item 2 above.

5. Upon execution of agreements between the COMMISSION and each municipality in Baldwin County, the COMMISSION will have prepared a map delineating the respective planning jurisdictions of the COMMISSION and each municipality in Baldwin County, which map shall be incorporated into this agreement and become a part of it.

6. A copy of this agreement, including the map delineating the respective planning jurisdictions of the COMMISSION and the municipalities for the exercise of subdivision development controls shall be filed with the Judge of Probate of Baldwin County.

7. This agreement shall become effective upon the last date signed below and shall continue in force and effect until such time as it is mutually abolished by the COMMISSION and the MUNICIPALITY, or determined by proper authority to be invalid or inconsistent with State law.

8. It is expressly understood that this agreement can be modified or amended by mutual action of the COMMISSION and the MUNICIPALITY whenever such modification or amendment is deemed necessary.

9. Adoption:

FOR: THE BALDWIN COUNTY COMMISSION

BY: [Signature]
Chairman

4/20/93
DATE

BY: [Signature]
Attest

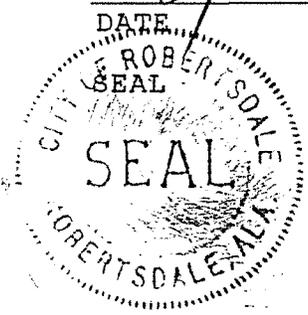
SEAL

FOR: ROBERTSDALE

BY: [Signature]
Mayor

BY: [Signature]
Attest

April 5, 1993



MISC 0074 PRCI 0648

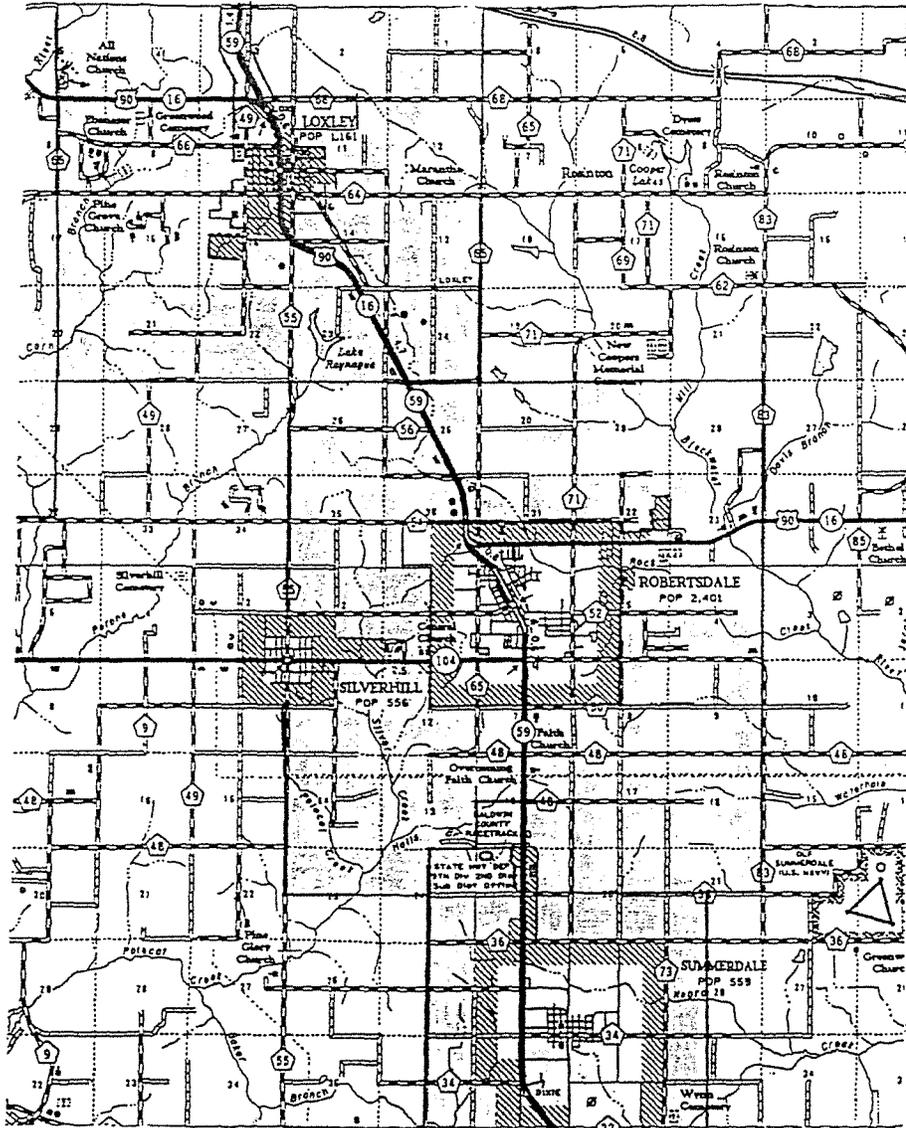
"EXHIBIT A"

Description of Planning Jurisdiction FOR ROBERTSDALE

Beginning at the Northwest Corner of Section 26, T-5-S, R-3-E, Baldwin County, Alabama, run East along the Section Lines to the Northeast Corner of Section 23, T-5-S, R-4-E; then run South along the Section Lines to the Southeast Corner of the Northeast Quarter of Section 21, T-6-S, R-4-E; then run West to the Southwest Corner of the Northwest Quarter of Section 22, T-6-S, R-4-E; then run North along the Section Lines to the Southeast Corner of the Northeast Quarter of Section 18, T-6-S, R-4-E; then run West along the Half Section Lines to the Southwest Corner of the Northwest Quarter of Section 18, T-6-S, R-4-E; then run South along the Section Line to the Southwest Corner of Section 18, T-6-S, R-4-E; then run West along the North Section Line of Section 24, T-6-S, R-3-E to the Northwest Corner of the Northeast Quarter of Section 24; then run South along the Half Section Line to the Southwest Corner of the Northeast Quarter of Section 24, T-6-S, R-3-E; then run West along the Half Section Lines to the Southwest Corner of the Northwest Quarter of Section 23, T-6-S, R-3-E; then run North along the Section Lines to the Northwest Corner of the Southwest Quarter of Section 11, T-6-S, R-3-E; then run East to the Northeast Corner of the Southwest Quarter of Section 11, T-6-S, R-3-E; then run North to the Northwest Corner of the Northeast Quarter of Section 11, T-6-S, R-3-E; then run East to the Southeast Corner of Section 2, T-6-S, R-3-E; then run North to the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 2, T-6-S, R-3-E; then run West to the Northwest Corner of the Southwest Quarter of the Southeast Quarter of Section 2, T-6-S, R-2-E; then run North to the Northwest Corner of the Southeast Quarter of Section 2, T-6-S, R-3-E; then run West to the Southwest Corner of the Northwest Quarter of Section 2, T-6-S, R-3-E; then run North along the Section Line to the Northwest Corner of Section 28, T-5-S, R-3-E, the Point of Beginning.

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Excerpt from the April 20, 1993 BCC
minutes

TO: Baldwin County Commission
FROM: Jerry Boyington
County Administrator
SUBJECT: County Commission's Request for my
Resignation as County Administrator

At approximately 11:00 a.m., April 20, 1993, I was requested by the County Attorney, at the Commission's direction, to appear in Executive Session with the seven (7) members of the County Commission. Upon doing so, I was asked by the Chairman, Don Koontz, to resign as County Administrator.

In response to the Commission's request, I stated that I would consider the request and respond no later than the time of the anticipated adjournment of the Commission meeting this date.

Commissioners, I have considered your request for my resignation as County Administrator, and my response is as follows. I do not consider it in the best interests of Baldwin County for me to resign as County Administrator. Therefore, you may take whatever action you wish to take.

JERRY BOYINGTON, _____ s/s
County Administrator
April 20, 1993

JB/sdl

MOTION BY COMMISSIONER HANSEN, SECONDED BY COMMISSIONER HARPER, TO TERMINATE THE COUNTY ADMINISTRATOR JERRY BOYINGTON EFFECTIVE IMMEDIATELY. VOTING YEA, COMMISSIONER BURT, COMMISSIONER HANSEN, COMMISSIONER ALLEN, COMMISSIONER HARPER AND CHAIRMAN KOONTZ. VOTING NO, COMMISSIONER JENKINS. ABSTAINING, COMMISSIONER ALLEGRI.

The County Attorney recommended he be permitted to be involved in the Pilcher Lawsuit by allowing him to participate to some limited extent in this litigation as the County's insurance carriers lawyer will be handling this case. MOTION BY COMMISSIONER BURT, SECONDED BY COMMISSIONER ALLEN, TO ACCEPT THE RECOMMENDATION OF THE COUNTY ATTORNEY AND ALLOW HIM TO PARTICIPATE IN THE LITIGATION OF PILCHER LAND VS. ADRIAN JOHNS, TAX ASSESSOR. UNANIMOUS.

MOTION BY COMMISSIONER HARPER, SECONDED BY COMMISSIONER ALLEN TO NAME BYRON CALHOUN AS THE INTERIM COUNTY ADMINISTRATOR UNTIL SUCH TIME AS THE BALDWIN COUNTY COMMISSION CAN FIND A REPLACEMENT. UNANIMOUS.

John Dorgan reappeared before the Commission and presented the Commission with the following agreement for extraterritorial jurisdiction:

RESOLUTION
FOR
PLANNING JURISDICTION
BETWEEN
THE BALDWIN COUNTY COMMISSION
AND
ROBERTSDALE

WHEREAS, the BALDWIN COUNTY COMMISSION, hereinafter referred to as "the Commission" and ROBERTSDALE, hereinafter referred to as "the MUNICIPALITY" desire to enter into an agreement concerning the area of their respective planning jurisdictions, with the COMMISSION having responsibility for the review of subdivisions in the unincorporated areas of the County planning jurisdiction of any other municipality in Baldwin County, and the MUNICIPALITY having particular responsibility for the review of subdivisions located inside its corporate limits and all land lying within its planning jurisdiction; and

WHEREAS, State law authorizes a municipality to exercise such planning jurisdiction up to five (5) miles outside its corporate limits and not located in any other municipality;

NOW THEREFORE, THE COMMISSION AND THE MUNICIPALITY do hereby mutually agree as follows:

1. The MUNICIPALITY'S planning jurisdiction shall include all land located inside its corporate limits and all land lying beyond its corporate limits as described on the attached "EXHIBIT A" and not located in any other municipality; provided, however, that the MUNICIPALITY may extend the territorial jurisdiction for planning to all land lying within five (5) miles of the corporate limits of the MUNICIPALITY and to any other territory which may be included on amendment of existing law, and not located in any other municipality, by adoption of a resolution extending said territorial jurisdiction, and submission of same to the COMMISSION which shall concur in such jurisdiction extension to the limit allowed by current law at its next meeting following receipt of the MUNICIPALITY'S resolution.

2. The MUNICIPALITY'S will exercise review authority over all subdivision developments within the area described in Exhibit A; provided, however, that if any part of a proposed subdivision lies within the MUNICIPALITY'S planning jurisdiction as described in "EXHIBIT A", then the MUNICIPALITY and not the COMMISSION will have responsibility for review of said subdivision.

3. The MUNICIPALITY will submit a copy of each plat approved within its extraterritorial planning jurisdiction to the County Engineer for his approval as required in Section 11-52-30 of the Code of Alabama, prior to such plat being filed for recording with the Judge of Probate of Baldwin County. The more strict requirements, whether of the municipality or of the County, must be complied with by the developer.

4. The COMMISSION will exercise review authority through the Baldwin County Planning Commission over all subdivision developments lying outside the MUNICIPALITY'S planning jurisdiction of any other municipality in Baldwin County; provided that, where a proposed subdivision lies partly in the COMMISSION'S planning jurisdiction and partly in the

MUNICIPALITY'S planning jurisdiction, it shall be the MUNICIPALITY'S responsibility to review said subdivision as described in Item 2 above.

5. Upon execution of agreements between the COMMISSION and each municipality in Baldwin County, the COMMISSION will have prepared a map delineating the respective planning jurisdictions of the COMMISSION and each municipality in Baldwin County, which map shall be incorporated into this agreement and become a part of it.

6. A copy of this agreement, including the map delineating the respective planning jurisdictions of the COMMISSION and the municipalities for the exercise of subdivision development controls shall be filed with the Judge of probate of Baldwin County.

7. This agreement shall become effective upon the last date signed below and shall continue in force and effect until such time as it is mutually abolished by the COMMISSION and the MUNICIPALITY, or determined by proper authority to be invalid or inconsistent with state law.

8. It is expressly understood that this agreement can be modified or amended by mutual action of the COMMISSION and the MUNICIPALITY whenever such modification or amendment is deemed necessary.

9. Adoption.

FOR; THE BALDWIN COUNTY COMMISSION

BY: DON KOONTZ, s/s 4/20/1993
Chairman Date

BY; BYRON CALHOUN, s/s Seal
Attest

FOR; ROBERTSDALE

BY: CHARLES H. MURPHY s/s April 5, 1993
Mayor Date

BY Jackie K. Lipscomb s/s Seal
Attest

"EXHIBIT A"

Description of Planning Jurisdiction
FOR
ROBERTSDALE

Beginning at the Northwest Corner of Section 26, T-5-S, R-3-E, Baldwin County, Alabama, run East along the Section Lines to the Northeast Corner of Section 23, T-5-S, R-4-E; then run South along the Section Lines to the Southeast Corner of the Northeast Quarter of Section 21, T-6-S, R-4-E; then run West to the Southwest Corner of the Northwest quarter of Section 22, T-6-S, R-4-E, then run North along the Section Lines to the Southeast Corner of the Northeast Quarter of Section 18, T-6-S, R-4-E; then run West along the Half Section Lines to the Southwest Corner

of the Northwest Quarter of Section 18, T-6-S, R-4-E; then run South along the Section Line to the Southwest Corner of Section 18, T-6-S, R-4-E; then run West along the North Section Line of Section 24, T-6-S, R-3-E to the Northwest Corner of the Northeast Quarter of Section 24; then run South along the Half Section Line to the Southwest Corner of the Northeast Quarter of Section 24, T-6-S, R-3-E; then run North along the Section Lines to the Northwest Corner of the Southwest Quarter of Section 11, T-6-S, R-3-E; then run East to the Northeast Corner of the Southwest Quarter of Section 11, T-6-S, R-3-E; then run North to the Northwest Corner of the Northeast Quarter of Section 11, T-6-S, R-3-E; then run North to the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 2, T-6-S, R-3-E; then run West to the Northwest Corner of the Southwest Quarter of the Southeast Quarter of Section 2, T-6-S, R-3-E; then run West to the Southwest Corner of the Northwest Quarter of Section 2, T-6-S, R-3-E; then run North along the Section Line to the Northwest Corner of Section 28, T-5-S, R-3-E, the Point of Beginning.

MOTION BY COMMISSIONER ALLEGRI, SECONDED BY COMMISSIONER BURT TO ADOPT THE AFOREMENTIONED RESOLUTION FOR PLANNING JURISDICTION BETWEEN THE BALDWIN COUNTY COMMISSION AND ROBERTSDALE. UNANIMOUS.

Mr. Dorgan informed the Commission he was trying to get some position as to where the County stood regarding the recording of subdivisions. Commissioner Burt suggested that the Chairman discuss the recording of subdivisions with the Probate Judge to solve any problems that may exist. Chairman Koontz said he would get in contact with the Probate Judge.

MOTION BY COMMISSIONER BURT, SECONDED BY COMMISSIONER ALLEN, TO AUTHORIZE THE PERSONNEL DIRECTOR TO PROCEED WITH THE ADVERTISING FOR A COUNTY ADMINISTRATOR FOR BALDWIN COUNTY, ALABAMA. Commissioner Harper asked the Personnel Director to contact the Alabama County Commission Association (ACCA) immediately for assistance in this matter. UNANIMOUS.

COMMISSIONER COMMENTS:

Commissioner Wendy Allen reminded the Commission of the Town Meeting in Robertsedale, Thursday, April 22, 1993.

PRESS QUESTIONS:

Mr. Guy Busby of the Mobile Press Register, Baldwin Edition, asked Commissioner Hansen what the reason was for his motion to terminate the County Administrator? Commissioner Hansen responded by saying he had no comments at this time.

Mr. Busby asked if this had anything to do with the motion made earlier about the county government bill? Commissioner Hansen said that it possibly does not particularly refer to this.

Mr. Busby asked Commissioner Harper what his reason was for seconding the motion? Commissioner Harper responded by saying by all due respect to the Commission and to the individual involved, he wanted to reserve comment at this time.