



**BALDWIN COUNTY
CALLED MEETING
December 14, 2023
1601 N Columbia St, Suite 220
6:00 PM**

MINUTES

MEMBERS PRESENT

Emily Davis
John Westmoreland
Kendrick Butts
Sammy Hall
Henry Craig

OTHERS PRESENT

Brandon Palmer
Carlos Tobar
Cindy Cunningham

CALL TO ORDER

Chair Emily Davis called the meeting to order at 6:00 p.m.

INVOCATION

Evangelist Rosa Mullins delivered the invocation

PLEDGE OF ALLEGIANCE

Vice Chair John Westmoreland led the Pledge of Allegiance.

ADMINISTRATIVE/FISCAL MATTERS

Board of Elections

Commissioners continued discussion on the method of appointment for members of the Board of Elections. Commissioner Henry Craig stated his objection to members being appointed by political parties. He stated considering the importance of the election process, political parties should not make the appointments.

Vice Chair John Westmoreland brought up a question as to what would happen if none of the names submitted to the Board of Commissioners received a majority vote for appointment to the Board of Elections. He asked what the timeframe should be for the appointing agency to submit additional names for the Commissioners consideration.

Discussion was held about the initial date of appointment of members. Commissioner Hall suggested names should be submitted to Commissioners sixty days prior to the vacancy of a position on the Board of Elections. Discussion was held to make the original date of appointment December 31st of each year. After discussion, Attorney Palmer restated the changes to include: August 31st deadline for submission of no less than three and no more than five names for consideration for appointment by Board of Commissioners; by second meeting in October — if no appointment is made from the list of nominees, the party given additional 30 days deadline of November 15th for submission of no less than three and no more than five new names; if political party fails to submit nominations by either date, the position will be appointed by majority vote of the Board of Commissioners.

Commissioner Kendrick Butts made a motion to approve the local legislation outline with the aforementioned changes for the establishment of a Board of Elections. Vice Chair John Westmoreland seconded the motion. The motion passed by the following vote:

Aye: Butts, Hall, Westmoreland, Davis

Nay: Craig

Commissioner Kendrick Butts made a motion to submit the approved Board of Elections legislation outline with the aforementioned changes to the local legislative delegation. Vice Chair John Westmoreland seconded the motion. The motion passed by the following vote:

Aye: Butts, Hall, Westmoreland, Davis

Nay: Craig

Staggered Elections

Commissioner Henry Craig made a motion to approve the local legislation outline for staggered elections. Commissioner Kendrick Butts seconded the motion. Commissioner Craig amended his motion as follows: to approve and submit to the local delegation the local legislation outline for staggered elections. Commissioner Butts accepted the amendment to the motion. Chair Davis called for the vote on the motion to approve and submit the local legislation outline for staggered elections to the local delegation. The motion passed unanimously.

AMENDMENT TO AGENDA

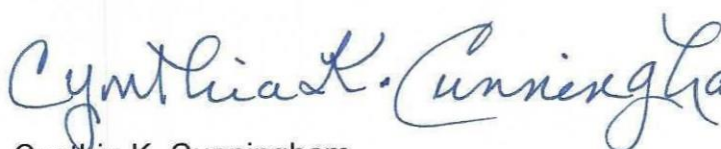
Commissioner Sammy Hall made a motion to amend the Agenda to remove the Executive Session. Vice Chair John Westmoreland seconded the motion and it passed unanimously.

ADJOURNMENT

Commissioner Henry Craig made a motion to adjourn the meeting at 8:00 p.m. Vice Chair John Westmoreland seconded the motion and it passed unanimously.

Respectfully submitted,


Emily C. Davis
Chair


Cynthia K. Cunningham
County Clerk

azu
Cynthia K. Cunningham

Baldwin County Board of Elections

Local Legislation Outline

1. Composition of Initial Board
 - a. The Board will be composed of five (5) members, each of whom shall be an elector and resident of Baldwin County.
 - b. The five current members of the Baldwin County Board of Registrars shall be appointed as the initial members of the newly formed Baldwin County Board of Elections.
 - c. No person holding elective public office shall be eligible to serve as a member during the term of such elective office and the position shall be deemed open upon such member qualifying as a candidate for elective public office.
 - d. No elected official's immediate family members shall be eligible to serve as a member during the term of such elective office.
 - i. Immediate Family to be defined to include: Spouse, sibling, child, parent, grandparent, grandchild by blood or marriage.
 - ii. This prohibition would not apply to the initial members of the Board of Elections; once their initial terms end, this prohibition would then apply.
- II. The board shall be authorized to organize itself, determine its procedural rules and regulations, adopt bylaws, specify the functions and duties of its employees, and otherwise take such action as is appropriate to the management of the affairs committed to its supervision; provided, however, no such action shall conflict with state law.
111. Actions and decisions by the board shall be by majority vote of the members of the board.
- IV. Staggered Elections
 - a. 2 of the initial members will serve an initial 4-year term (2025-2028), followed by subsequent 4-year terms thereafter.
 - b. 3 of the initial members will serve an initial 6-year term (2025-2030), followed by subsequent 4-year terms thereafter.

- c. Which initial members serve a 4 or 6-year term will be based on a random draw to be conducted by the Chair of the Board of Commissioners. Each current member will be assigned a random number and the first two names drawn will serve an initial 4-year term. The last 3 names drawn will serve an initial 6-year term.
- V. Appointment of Successor Members of Board of Elections
 - i. For the 2 members whose initial term ends in 2028:
 - 1. One Member will be appointed by December 31 as follows:
 - a. By August 31, the political party whose candidate received the largest number of votes in this state for governor at the last preceding general election shall nominate no less than 3, but no more than 5 candidates.
 - i. From that list of nominations, 1 member shall be appointed by a majority vote of the Baldwin County Board of Commissioners.
 - ii. If no appointment is made from the list of nominees by the second October meeting of the Baldwin County Board of Commissioners, the political party shall nominate no less than 3, but no more than 5 new candidates by November 15.
 - iii. If the political party fails to submit their nominations by either respective deadline, the position shall be appointed by a majority vote of the Baldwin County Board of Commissioners.
 - 2. One member will be appointed by December 31 as follows:
 - a. By August 31, the political party whose candidate received the next largest number of votes in this state for governor at the last preceding general election shall nominate no less than 3, but no more than 5 candidates.
 - i. From that list of nominations, 1 member will be appointed by a majority vote of the Baldwin County Board of Commissioners.

- ii. If no appointment is made from the list of nominees by the second October meeting of the Baldwin County Board of Commissioners, the political party shall nominate no less than 3, but no more than 5 new candidates by November 15.
 - iii. If the political party fails to submit their nominations by either respective deadline, the position will be appointed by a majority vote of the Baldwin County Board of Commissioners.
- ii. For the 3 initial members whose initial term ends in 2030:
 - 1. One Member will be appointed by December 31 as follows:
 - a. By August 31, the political party whose candidate received the largest number of votes in this state for governor at the last preceding general election shall nominate no less than 3, but no more than 5 candidates.
 - i. From that list of nominations, 1 member will be appointed by a majority vote of the Baldwin County Board of Commissioners.
 - ii. If no appointment is made from the list of nominees by the second October meeting of the Baldwin County Board of Commissioners, the political party shall nominate no less than 3, but no more than 5 new candidates by November 15.
 - iii. If the political party fails to submit their nominations by either respective deadline, the position will be appointed by a majority vote of the Baldwin County Board of Commissioners.
 - 2. One Member will be appointed by December 31 as follows:
 - a. By August 31, the political party whose candidate received the next largest number of votes in this state for governor at the last preceding general

election shall nominate no less than 3, but no more than 5 candidates.

- i. From that list of nominations, 1 member will be appointed by a majority vote of the Baldwin County Board of Commissioners.
- ii. If no appointment is made from the list of nominees by the second October meeting of the Baldwin County Board of Commissioners, the political party shall nominate no less than 3, but no more than 5 new candidates by November 15.
- iii. If the political party fails to submit their nominations by either respective deadline, the position will be appointed by a majority vote of the Baldwin County Board of Commissioners.

3. One (1) member is appointed by December 31 by the Baldwin County Board of Commissioners (a majority vote).

VI. Removal / Vacancies of Members of Board of Elections

- i. Members shall be subject to removal from the board at any time, for cause, after notice and hearing, by the appointing authority (a majority vote of the Baldwin County Board of Commissioners).
 1. Any member who does not meet the training requirements or any other requirements imposed by law will be removed by operation of law.
 2. The "for cause" standard would apply to any other reason for cause to remove a board member.
- ii. In the event a vacancy occurs in the office of any member other than the supervisor of registration and elections before the expiration of that member's term of office, whether by removal, death, resignation, or otherwise, the Baldwin County Board of Commissioners shall appoint a successor to serve the remainder of the unexpired term and until a successor is duly appointed and qualified.

Baldwin County — Staggered Elections

Local Legislation Outline

I. Board of Commissioners

- a. Those Commissioners who hold such office on the effective date of this Act shall continue to serve as Commissioners for the terms of office to which they were elected.
- b. The Commissioners elected from Districts 1 and 2 at the county general election held in November, 2024 shall each serve a term of four years, beginning January 1, 2025 and ending on December 31, 2028.
- c. The Commissioners elected from Districts 3, 4, and 5 at the county general election held in November, 2024 shall each serve a term of two years, beginning January 1, 2025 and ending on December 31, 2026.
- d. Thereafter, each Commissioner serve a term of office of four years.

1. Supervisor of Registration and Elections
 - a. Shall be appointed by the Baldwin County Board of Commissioners (a majority vote)
 - b. The supervisor of registration and elections shall not serve as a member of the Board of Elections and shall not have a vote on matters brought before the board.
 - c. The supervisor shall report to the Board of Commissioners and may be terminated or disciplined for cause, after notice and hearing, by a majority vote of the Board of Commissioners.
 - d. The Board of Elections shall advise the Board of Commissioners on the issue of discipline of supervisor or termination of employment.
 - e. Such supervisor shall be considered a county employee for purposes of benefits, vacation and other purposes.
 - f. The compensation of the supervisor of registration and elections (and the board of elections) shall be fixed by the County Board of Commissioners.
 - g. The supervisor of registration and elections may recommend to the county administrator for employment such full-time or part-time employees as may be deemed necessary and as approved in the annual budget approved by the governing authority of the county.
 - h. The supervisor of registration and elections and the board shall be responsible for the selection, appointment, and training of poll workers in primaries and elections.
 1. No elected official's immediate family members shall be eligible to serve as the Supervisor during the term of such elective office.
 - i. Immediate Family to be defined to include: Spouse, sibling, child, parent, grandparent, grandchildren by blood or marriage.
-

