



# City of Bay Minette

## Planning Commission

301 D'Olive Street · Bay Minette, Alabama 36507  
Phone (251) 580-1650 · COBM\_Planning@cityofbayminetteal.gov

### AGENDA

September 12, 2024

Regular Meeting

8:00 a.m.

City Hall Council Chambers  
301 D'Olive Street, Bay Minette

- 1.) Call to Order
- 2.) Invocation and Pledge
- 3.) **Announcements & Registration to Address the Commission** *Before the meeting begins, Citizens wishing to speak must be signed in, notate they wish to speak and follow the Procedures for Addressing the Planning Commission.*
- 4.) **Approval of Minutes for the August 8, 2024, Regular Meeting**
- 5.) **Disclosure of Prior Communications and/or Conflicts of Interest**
- 6.) **Old Business**
  - a.) **Bylaw Adoption**
- 7.) **New Business**
  - a.) **Updates & Upcoming Cases**
- 8.) **Reports & Comments**
  - a.) **Mayor/Council/Administration**
  - b.) **Attorney**
  - c.) **Commissioners**
  - d.) **Planning Staff**
  - e.) **Citizen Comments**
- 9.) **Adjournment**

**\*\*Worksession Immediately Following September Regular Meeting\*\***

**\*\*Next Regular Meeting – October 10, 2024\*\***



**ITEM 7. New Business**

**a.) Legal Training / Discussion**

Ms. Collinsworth explained, followed by discussion of, The Code of Alabama definitions for Conflicts of Interest, a Family Member of the Public Official, and a Business with which the Person is Associated. She also explained / discussed the Conflicts of Interest Procedure and the Alabama Ethics Commission Opinions and gave examples. Disclosure of Prior Communications and Alabama Open Meetings Act were also discussed.

**b.) Updates & Upcoming Cases**

- Potential minor 2-lot subdivision
- Potential rezoning and minor subdivision on Moran Street
- Proposed fee schedule updates
- Update on Cloudpermit software

**ITEM 8. Reports**

a.) Mayor/Council Report – Mayor Wills gave an update on a potential restaurant, hotels, fast-food restaurants, Novelis, and described an increase in potential growth and development activity and capital budget meetings.

Mrs. Smith gave an update on a license agreement with CSX, an upcoming meeting with a representative from Federal Railways, the LED conversion of lights at City parks, a transportation plan and future meetings with ALDOT.

b.) Attorney – None

c.) Commissioners – Commission Member Clark inquires about the towing company on Hwy 31 South, beginning a discussion on the Code Enforcement process and procedures. Property near 7<sup>th</sup> Street & Day Ave, accessory structures and accessory dwellings were also discussed.

d.) Planning Staff – Mrs. Dorrough illustrated the vast size of Novelis by presenting an aerial view of the property. This led to discussion of the status of Novelis and various county wide road projects. Commission Member Covington inquired about the County's plans for the new District Attorney's office building and Commission Member Templeton inquired about the status of the former Church of Christ facility.

e.) Public Comment – None

**ITEM 9.** With no further business, Chairman Stewart adjourned the meeting at 8:57 am.

DONE THIS THE 8<sup>TH</sup> DAY OF AUGUST 2024

\_\_\_\_\_  
Chairman, Todd Stewart

ATTEST:

\_\_\_\_\_  
Paula Bonner, Planner Associate

# City of Bay Minette

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## Planning Commission



## RULES FOR THE TRANSACTION OF BUSINESS

*Draft – Version 3B*  
*September 12, 2024*

### Article I – Powers, Duties and Composition

The powers, duties, and composition of the City of Bay Minette Planning & Zoning Commission, hereinafter referred to as the Commission, shall be as set forth in Title 11, Chapter 52, of the Code of Alabama, 1975, as amended; Title 2A, Chapter 2 of the Constitution of Alabama 2022 (Act 2015-126, Constitutional Amendment 900) and those powers and duties delegated to the Commission by the City Council of the City of Bay Minette.

The Commission shall have the authority to see to the preparation of a Comprehensive Plan for the development of the City and for the preparation of the necessary ordinances and subdivision regulations to implement the plan. The Commission shall review and make recommendations to the City Council for the adoption of the Plan as a whole or in any parts, revisions or amendments of the plan or its implementing regulations.

The Commission shall have the authority to review all applications for zoning or rezoning and to recommend approval or disapproval of these applications to the City Council who alone has statutory powers to zone.

It shall be part of the duties of the Commission to consult and advise the Public Officials, Public Utility Companies, Civic, Educational, Professional and other Organizations and citizens with relation to protecting and carrying out the plan.

The Commission shall review and take action on all plans for shopping centers, manufactured home parks, planned unit developments and other such proposals as may affect the orderly development of the City; provided that, where such plans or proposals involve zoning, the Commission shall have the authority to take decisive action on all subdivision plat applications within the planning jurisdiction and in accordance with State law and current governmental agreements.

The Commission shall exercise all other authority as set forth Title 11, Chapter 52, of the Code of Alabama, 1975, as amended, and the City of Bay Minette Zoning Ordinance and Subdivision Regulations.

### Article II – Members

The Commission shall consist of eleven members as follows: The Mayor or his/her designee; one Administrative Official of the City selected by the Mayor; an ex officio member of the Council selected by the Council upon recommendation of the Mayor; six residents of Bay Minette appointed by the Mayor which shall be full-time residents and qualified electors of the City of Bay Minette; and the two additional members authorized under the *Constitution of Alabama* shall be individuals residing outside the corporate limits of the municipality, but within the territorial jurisdiction of the Commission at the time of the appointment.

Appointed members shall hold no other municipal office, except that one of the appointed members may be a member of the zoning Board of Adjustment.

## Article III – Terms of Office

The terms of office of the Commission shall be as follows: The Mayor and Administrative Official selected by the Mayor, and the ex officio member of the Council shall have terms of office on the Commission corresponding to their current elected term of office on the Council. The eight members who are appointed to the Commission under the authority of the Alabama law by the Mayor shall each have a six-year term of office on the Commission and be eligible for re-appointment.

## Article IV – Vacancies

Any vacancy among the Commission membership caused by death, resignation or removal for cause shall be filled for the unexpired term by appointment by the Mayor. Members other than the ex officio member selected by the Council may, after a public hearing, be removed by the Mayor for inefficiency, neglect of duty or malfeasance in office. Commission Members shall be removed for cause by the Mayor upon written charges and after a public hearing thereon.

## Article V – Compensation

All members of the Commission serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

The expenditures of the Commission shall be within the amounts appropriated for the purpose by the Council, which shall provide the funds, equipment, and accommodations necessary for the Commission's work, including contract with planners, engineers, architects, and other consultants for such services as it may require.

## Article VI – Officers

### Section 6.1 Offices and Terms

- 6.1.1 The Commission shall elect a Chairman and Vice-Chairman from among the appointed members.
- 6.1.2 The Commission may create and fill such other of its offices as it may determine.
- 6.1.3 The terms of office of these elected officers shall be one year, with eligibility for reelection.

### Section 6.2 Elections

- 6.2.1 Officer elections shall be held during the regularly scheduled July meeting of each year, and the new officers shall assume their duties at the next scheduled meeting after their election. If elections are unable to be held at the regularly scheduled July meeting, then they shall be held at the next available meeting.
- 6.2.2 The officers shall be elected in the following order: the Chairman and then the Vice-Chairman. The current Chairman will request nominations for the office and a voice vote shall be conducted until a nominee receives a majority vote.

### Section 6.3 Duties

- 6.3.1 **Chairman** – The Chairman shall set the agenda and preside at all meetings and hearings of the Commission; shall decide all points of order or procedure; sign documents of the Commission; perform any duties required by law, ordinance, these rules or the Commission; and see that all actions of the Commission are properly taken. The Chairman shall have the authority to appoint and charge any committees as necessary. The Chairman, or in their absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. The official minutes of the Commission shall be signed by the Chairman and attested by the Secretary.
- 6.3.2 **Vice-Chairman** – The Vice-Chairman shall preside in the absence, disability or disqualification of the Chairman, exercise and perform all the powers and duties and be subject to all responsibilities of the Chairman. In the event the Chairman resigns, vacates or is no longer able to continue the office for any reason before their term is completed, then the Vice-Chairman shall fill the unexpired term of the office of Chairman. In that event, the Commission shall elect a new Vice-Chairman at the next regular meeting to fill the remainder of the unexpired term.

- 6.3.3 Acting Chairman** – In the event that neither the Chairman nor the Vice-Chairman is present, is unable to act or preside at any meeting of the Commission and a quorum is present, an Acting Chairman shall be chosen from among the members present for that meeting. The Acting Chairman shall serve only at that meeting and shall be elected by a majority of the quorum present.
- 6.3.4 Secretary** – The Commission shall keep a record of its resolutions, transactions, findings, and determinations, which shall be considered public record. The Secretary of the Commission shall be the City Planner, or a staff member of the Planning & Development Services Department as designated by the City Planner. The Secretary shall prepare the agenda; keep the minutes of all meetings; provide and arrange notice of meetings as required by law or these by-laws; manage official correspondence of the Commission; maintain a public record for each meeting of the agenda, proceedings, findings, voting records and other documentation in accordance with record retention requirements; and other duties as are normally carried out by a Secretary.

## Article VII – Conduct of Members

Commission members are appointed under the authority of Alabama law and as such, are considered public officials. In the performance of Commission business, members are held to the highest standards of ethics and responsibility and expected to conduct themselves in a manner that meets or exceeds those standards. Members are expected to familiarize themselves with those regulations and the following minimum standards to avoid any potential conflict, misconduct, or impropriety.

### Section 7.1 Conflicts of Interest

- 7.1.1** A “Conflict of Interest” is defined by the Code of Alabama as: “A conflict on the part of a public official or public employee between his or her private interests and the official responsibilities inherent in an office of public trust. A conflict of interest involves any action, inaction, or decision by a public official or public employee in the discharge of his or her official duties which would materially affect his or her financial interest or those of his or her family members or any business with which the person is associated in a manner different from the manner it affects the other members of the class to which he or she belongs.”
- 7.1.2** A “Family Member Of The Public Official” is defined by the Code of Alabama as: “The spouse, a dependent, an adult child and his or her spouse, a parent, a spouse’s parents, a sibling and his or her spouse, of the public official.”
- 7.1.3** A “Business With Which The Person Is Associated” is defined by the Code of Alabama as: “Any business of which the person or a member of his or her family is an officer, owner, partner, board of director member, employee, or holder of more than five percent of the fair market value of the business.”
- 7.1.4** No member of the Commission shall represent any applicant before the Commission and any member with any direct or indirect interest in any business brought before the Commission shall immediately recuse themselves prior to deliberation or voting on any such matter. Any member with any relationship to any party having interest in any matter brought before the Commission, whether directly or indirectly, shall immediately recuse themselves prior to deliberation or voting so as to prevent any appearance of impropriety.
- 7.1.5** Any Commission member that may have a conflict of interest, a direct personal interest, pecuniary interest, or other conflict, on any item on the agenda shall:
- 1.) Voluntarily declare the presence of a potential or actual conflict for the record,
  - 2.) Shall refrain from deliberation and recuse themselves from discussion on the item; and,
  - 3.) Abstain from voting on said item.
- 7.1.6** In the event a member must recuse themselves, they are prohibited from participating in discussions, deliberations or debates, making recommendations, giving advice, considering findings, or in any other way assuming responsibility for or participating in any aspect of the decision-making relating to the matter where there is a potential conflict of interest. Once a member has recused themselves, they shall remove themselves from the meeting room and will be notified to return once deliberations or voting has ended.

### Section 7.2 Outside Communications

Ex Parte Communications, those communications made outside the realm of the public meetings, are prohibited. This includes oral or written communications made without proper notice to all parties and not on the public record, from an interested person outside of the Commission to a member of the Commission involved in the decision-making process.

- 7.2.1 Commission members are advised to not discuss pending cases with members of the public outside of the public meeting, and if attempted ex parte contact persists, the member should disclose such contact at the Commission meeting.
- 7.2.2 Members may gather relevant information regarding an agenda item, including making site visits, if such information will aid in making an informed, objective decision.
- 7.2.3 Any written material received by members shall be given to the Secretary for incorporation into the files.

### **Section 7.3 Personal Gain**

No member shall directly or indirectly, use their official position as a Commission member to obtain any special privilege, exemption or other personal gain for themselves, a family member, or any business with which the person is associated unless the use and gain are otherwise specifically authorized by law. Members may not, directly or indirectly, give or receive compensation, gifts, rewards or gratuities to or from any source for any matter connected with or related to their service as a Commission member. This does not prevent members from obtaining reimbursement for actual expenses related to the performance of Commission duties that are deemed reasonable and necessary.

### **Section 7.4 Attendance**

- 7.4.1 No member shall be absent more than three (3) consecutive or a maximum of five (5) regularly scheduled Commission meetings per fiscal year.
- 7.4.2 The Commission shall recommend to the Mayor the dismissal of a member. Subsequently the Mayor, at their discretion, shall coordinate the replacement of that member, and the appointment of a new member.

### **Section 7.5 Member Responsibilities**

- 7.5.1 Commission members shall avoid all improper conduct and the appearance of impropriety before, during and after public meetings, including:
  - 1.) Showing bias for or against a petitioner, individual or group.
  - 2.) Conflicts of interest, whether actual or perceived, that would lead the public or an applicant to believe that an objective decision could not be made.
  - 3.) Criticizing the vote or comments of any member of the Commission or City Council.
- 7.5.2 Members are expected to familiarize themselves and have a working knowledge of the current *Comprehensive Plan, Zoning Ordinance* and *Subdivision Regulations* of the City of Bay Minette.
- 7.5.3 Members are expected to apply the guidelines, adhere to the ordinances, and review every matter presented to the Commission in an impartial, conscientious, and judicious manner.
- 7.5.4 Members are expected to exercise reasonable judgement, make good faith decisions, take actions that are within the law, and make decisions in the best interest of the public.
- 7.5.5 Members are expected to attend and participate in all meetings. The City will provide the resources necessary for the Commission to fulfill their responsibilities, ensure members are informed about and involved in developmental issues and give serious consideration to the advice and recommendations of the Commission.
- 7.5.6 Members are expected to familiarize themselves with the agenda, application or other provided meeting materials and are encouraged to make site visits to the properties on upcoming agendas.
- 7.5.7 Members are encouraged to obtain training and attend educational sessions related to planning, zoning/land use, subdivisions, environmental topics, or other similar subjects related to the performance of their Commission duties. Members are strongly advised to obtain and maintain Certified Alabama Planning & Zoning Official (CAPZO) status. Staff will provide notice of any such opportunities and the City will provide for the reimbursement of training expenses with prior approval.

## **Article VIII – Meetings**

### **Section 8.1 Regular Meetings**

The Commission shall hold at least one regular meeting in each month, which shall be held on the second Thursday of each month at 8:00 a.m. in the Bay Minette City Hall Council Chambers, or as otherwise determined by a majority vote



of the Commission. The regular meeting in July of each year shall be the annual meeting at which elections of officers shall take place.

## **Section 8.2 Special Meetings**

Additional meetings, worksessions or other special meetings of the Commission shall be held at the call of the Chairman and at such other times as the Commission may determine by a majority vote upon giving of a forty-eight (48) hour notice to each member. If meetings need to be rescheduled for holidays or other events, the new date and time shall be duly posted.

## **Section 8.3 Protocol**

All meetings of the Commission shall be open to the Public and follow the protocol of Robert's Rules of Order. The Commission may convene executive sessions in accordance with applicable laws.

## **Section 8.4 Notice**

Notice of meetings and public hearings shall be performed as specified in the Code of Alabama as amended, Alabama Open Meetings Act and/or as required by other State law and these by-laws. The Secretary may provide supplemental notification procedures (posting signage on properties, electronic notification, etc) to ensure that interested parties are aware of pending cases, but the failure of any such supplemental notification procedures shall not invalidate any lawful action or decision of the Commission.

## **Section 8.5 Decorum**

Commission members and speakers shall observe the commonly accepted rules of courtesy, decorum, dignity, and good taste. All comments, questions, or remarks shall be address to the Chairman or the Commission as a body and not to members of the audience or the applicant. Interested parties or their representatives may address the Commission by written communications, a copy of which shall be provided to the Secretary either before or during the meeting.

## **Section 8.6 Procedures to Address the Commission**

Public participation is welcomed and encouraged. Consideration will be given to the public to express their views on issues relevant to the business of the Commission. To balance the public's right to be heard with the need to maintain the order of the meeting, the following procedures will be followed and enforced:

- 8.6.1** All meetings of the Commission shall be open to the public.
- 8.6.2** All individuals wishing to address the Commission must sign in on the provided form. To maintain fairness and efficiency, speakers will be called in the order of the sign-in sheet.
- 8.6.3** Additional accommodation may be provided as needed upon notification of staff.
- 8.6.4** Verbal comments and interruptions from the floor will not be allowed.
- 8.6.5** Each speaker will be limited to 5 minutes. For groups of individuals that wish to address the Planning Commission on the same topic, they will be limited to 3 minutes per speaker. In cases where there are multiple speakers on the same topic, speakers are encouraged not to repeat the same information presented by previous speakers. The Chairman reserves the right to require an individual wishing to speak on behalf of another person, group or entity to provide written authorization from the person, group or entity being represented.
- 8.6.6** Speakers may be interrupted by any member of the Commission for clarification or additional information, and those interruptions will not count against the speaker's time.
- 8.6.7** At the discretion of the Chairman, a speaker may address the Commission a second time, but only after all others have been given the opportunity to speak.
- 8.6.8** All comments must be directed to the Chairman or the Commission as a body.
- 8.6.9** Under no circumstances will personal attacks on Elected Officials, Appointed Officials, employees, or other individuals be allowed or tolerated.

## **Article IX – Quorum**

A quorum for the official transaction of business by the Commission shall consist of six (6) members. Except as specifically otherwise provided by law, a majority vote of the members present shall suffice to take official action on matters presented to the Commission.



An affirmative vote of not less than six members shall be required for the adoption or amendment of the Comprehensive Plan or any element of the Comprehensive Plan. Each member of the Commission shall have one (1) vote. Voting shall be by voice vote.

## Article X – Conduct of Meetings

The current edition of *Robert's Rules of Order* shall normally govern the conduct of business of the Commission. The order of business at regular Commission meetings should generally follow the order stated below, but may be altered at the discretion of the Chairman:

- 1.) Call to order
- 2.) Invocation/Pledge of Allegiance
- 3.) Announcement & Registration to Address the Commission
- 4.) Approval of Minutes from Previous Meeting
- 5.) Disclosure of Prior Communications and/or Conflicts of Interest
- 6.) Old Business
- 7.) New Business
- 8.) Reports and Comments–Mayor/Council/Administration, Attorney, Commissioners, Staff, Citizen Comments.
- 9.) Adjournment

To be placed on a Commission agenda, applicants must submit complete applications, together with all required supporting documentation and payment of required fees, as set forth in the City of Bay Minette Subdivision Regulations and Zoning Ordinance in accordance with the established Meeting and Application Deadline Schedule adopted by the Commission.

All applicants, or their designated representative, shall attend the meeting(s) where their application is placed on the Commission Agenda. In the absence of such an applicant or designated representative, the application request shall not be heard.

During the consideration of subdivision applications, zoning matters, property vacation requests or any other matter requiring a public hearing, the following procedure for the presentation of items should normally be observed; however, it may be rearranged at the discretion of the Chairman for the expeditious conduct of business.

- 1.) The Chairman will conduct the meeting and call for the agenda items.
- 2.) A member of the Planning & Development Services Department Staff will present a staff report with a recommendation and answer any questions from the Commission.
- 3.) The Chairman calls for the applicant, owner, or designated representative and offers the opportunity to address the Commission, provide information in support of the request, and answer any questions from the Commission.
- 4.) If a public hearing is needed, the Chairman will open the public hearing and state the time for the record. Once the Chairman opens the public hearing, statements, input regarding the request or questions addressed to the Commission will be accepted from the public with the approval of the Chairman and in accordance with the established Procedures for Addressing the Commission.
- 5.) Once all members of the public have been afforded the opportunity to speak, the Chairman shall close the public hearing and state the time for the record.
- 6.) The Commission members may discuss details and issues raised; may ask questions of the applicant, city staff, public or other parties.
- 7.) Upon conclusion of the public hearing and deliberation, the Chairman will call for a motion to be read, a second and may ask if further discussion is needed.
- 8.) The vote will be called, and the Chairman will announce the result. If the vote is close or results from the simultaneous voice vote is unclear, the Chairman may call for a roll call voice vote and then announce results.

## Article XI – Electronic Meeting Policy

### Section 11.1 Electronic Attendance

Occasionally, situations may occur when a member of the Planning Commission is unable to be physically present at a meeting due to illness. In accordance with Section 36-25A-5.2 of the *Code of Alabama*, Planning Commission members may participate in a meeting by means of telephone conference, video conference, or other similar communications equipment that allows all participants to hear one another at the same time; provided, that both of the following are fulfilled:

- 1.) No less than a quorum of the members of the Planning Commission are physically present at the physical location.

- 2.) The member(s) of the Planning Commission participating by electronic means are unable to be physically present at the meeting due to illness.
- 11.1.1 Participation by electronic means in compliance with this section shall constitute presence in person at the meeting for all purposes, except for the establishment of a quorum.
  - 11.1.2 Each meeting in which members of a governmental body are participating by electronic means in accordance with this section shall be held at a physical location available for persons wishing to be physically present, at which any interested member of the public shall be able to hear all persons who are participating remotely.
  - 11.1.3 Any vote taken at a meeting utilizing electronic communication equipment shall be taken as a roll call vote that allows each participant to vote individually in a manner audible to all persons participating or present at the physical location of the meeting.
  - 11.1.4 A member participating in a meeting by electronic means as provided by this section may not claim any form of reimbursement for expenses relating to that meeting, including mileage.

## **Section 11.2 Communications Equipment and Electronic Meeting Participation Policy & Procedures**

- 11.2.1 **Communications Equipment.** “Communications Equipment” means any tools, devices, hardware, software, or other things necessary to facilitate communication among meeting participants who are in different physical locations, including telephone conference, video conference, or other similar communications equipment; and that allows all participants to hear one another at the same time.
- 11.2.2 **Member Unable to Be Physically Present Due to Illness.** If a member of the Planning Commission is unable to be physically present at a meeting of the Planning Commission due to illness, and he or she wishes to participate electronically in the meeting, then the member shall provide notice to the to the Chairman and City Planner on or before the day of the meeting. If the member who is unable to be physically present at the meeting is the Chairman, then the Chairman shall provide notice to the Vice Chairman and City Planner on or before the day of the meeting.
- 11.2.3 **Quorum Required.** A member who is unable to be physically present due to illness may only participate electronically in a meeting if a quorum of the Planning Commission is physically present at the meeting location.
- 11.2.4 **Participation by Electronic Means.** Consistent with Section 36-25A-5.2 of the *Code of Alabama*, participation by electronic means shall constitute presence in person at the meeting for all purposes, except for the establishment of a quorum.
- 11.2.5 **Public Access.** All regular meetings of the Planning Commission shall be open to the public as required by the Alabama Open Meetings Act. All regular meetings of the Planning Commission will be conducted in a building that is open to the public. At this physical location of the meeting, all members of the public shall be able to hear all persons who are participating electronically in the meeting.
- 11.2.6 To allow a member to participate electronically in a meeting, the Planning Commission will use either of the following methods:
  - 1.) A conference phone with a dial-in number, microphone(s), a set of speakers and any other necessary teleconferencing communications equipment. The member who is not physically present will receive the dial-in number in advance to facilitate his or her participation in the meeting. At the physical meeting location, there will be
    - a.) a microphone that allows members who are physically present at the meeting location to speak to the member who is participating electronically, and
    - b.) a set of speakers that allows those who are physically present at the meeting location to hear the member who is participating electronically.
  - 2.) A computer or laptop utilizing video-conferencing software, microphone(s), a webcam, a set of speakers, and any other necessary video-conferencing equipment. The member who is not physically present will receive a dial-in number or weblink in advance of the meeting to facilitate his or her participation in the meeting. To the extent possible, the webcam will be situation in the physical meeting location in such a way that the physically present members may be seen by the member who is participating electronically. A microphone will be set up to allow members who are physically present to speak to the member who is participating electronically.

- 11.2.7 Testing the Communications Equipment. Immediately before the commencement of a meeting at which a member participates through electronic means, the communication equipment shall be tested to verify: 1) All participants will be able to hear one another at the same time, and 2) Interested members of the public who are present at the physical meeting location will be able to hear those who are participating electronically in the meeting.
- 11.2.8 Roll Call Voting. Any vote taken at a meeting utilizing communication equipment described in this Electronic Meetings Policy shall be taken as a roll call vote that allows each member to vote individually in a manner audible to all persons participating or present.
- 11.2.9 Recordkeeping. Documentation of the member’s request to participate electronically due to illness shall be kept in the records of the Planning Commission. Additionally, the following information will be noted in the meeting minutes for a meeting in which there is participation by electronic means:
  - 1.) The communication equipment was tested immediately before the meeting for sufficient compliance with these requirements: 1) All participants will be able to hear one another at the same time, and 2) Interested members of the public who are present at the physical meeting location will be able to hear those who are participating electronically in the meeting.
  - 2.) The names of the members who were physically present at the meeting location.
  - 3.) Whether a quorum of members was physically present at the meeting location.
  - 4.) The names of the member(s) who participated electronically in the meeting due to illness and that the member(s) who participated electronically were absent due to illness.

**Article XII – Amendment**

Amendment to these By-Laws shall require the affirmative vote of six (6) members of the Commission. The Commission shall review these rules annually at the same meeting as officer elections. These By-Laws may be amended at any regular or special meeting of the Commission provided that five (5) days advance notice of any proposed change shall be given to all members.

**Article XIII – Adoption**

These By-Laws were reviewed, approved and officially adopted by the City of Bay Minette Planning Commission. All previous By-Laws of the Commission are hereby repealed.

DONE, this the \_\_\_\_\_ day of \_\_\_\_\_ 2024

\_\_\_\_\_  
 Todd Stewart, Chairman

ATTEST:

\_\_\_\_\_  
 Clair Dorough, City Planner