



Baldwin County Commission Work Session
Meeting Minutes

Monday, May 1, 2023
8:30 AM

Baldwin County Administration Building, County Commission Meeting Chambers
322 Courthouse Square, Bay Minette, Alabama 36507

All supporting documentation for the minutes can be viewed here: <https://baldwincountyal.legistar.com>

Commissioners present:

District 1 – Commissioner James E. Ball
District 2 – Commissioner Matthew P. McKenzie
District 3 – Commissioner Billie Jo Underwood
District 4 – Commissioner Charles F. Gruber

Commissioners absent:

None.

Also present:

Ron Cink, Budget Director/Interim County Administrator
Brad Hicks, County Attorney

The Baldwin County Commission met for a work session (pre-Commission meeting) on Monday, May 1, 2023, at 8:30 a.m. at the Baldwin County Administration Building, County Commission Meeting Chambers.

WELCOME, INVOCATION AND PLEDGE OF ALLEGIANCE

The Chairman called the meeting to order at 8:31 a.m. After the Invocation by Commissioner Billie Jo Underwood, the Pledge of Allegiance was led by Commissioner James E. Ball.

AGENDA REVIEW AND DISCUSSION

The Commission reviewed and discussed the preliminary agenda for the County Commission Regular meeting to be held on Tuesday, May 2, 2023, determining the order of items for consideration with additions, removals and/or replacements as noted below:

CN3 – After discussion took place regarding the verification of the County's ownership of the roads to be transferred to the Alabama Department of Transportation, it was decided Item CN3 would be moved to Other Staff Recommendations for further discussion and to be voted on separately at the request of Commissioner Ball and Brad Hicks, County Attorney.

FA1 – After discussion, it was decided Item FA1 would be removed from the Agenda due to further discussion needed to determine appropriate action regarding a possible office location for the Board of Registrars. Item will be brought back to a future meeting.

FA2 – Removed from the Agenda due to revisions to the agreement pending legal review. Item will be brought back to a future meeting.

FL2 – Terri Graham, Development and Environmental Director, discussed the options for structuring the proposed Solid Waste Disposal Authority Board of Directors. It was decided to select Option B would be selected.

A Replacement Item is forthcoming with changes to the staff recommendation and documentation to reflect Option B and the names of the initial members of the Board of Directors.

FR1 – Matthew Brown, Planning Director, discussed the Pensacola and Perdido Bay Estuary Program. It was decided to move forward with the termination of Baldwin County’s program membership with a revision to remove the 60-day termination requirement.

A Replacement Item is forthcoming to revise the staff recommendation and associated correspondence to include language to waive the sixty (60) day written notice of termination.

RECESS

The Chairman recessed the meeting at 9:00 a.m.

The meeting reconvened at 9:09 a.m.

HA2 – Discussion took place regarding salaries for the appointed Department Head positions, the creation of a Highway Director position that reports to the County Engineer, adding language to the County Administrator contract regarding buy-back of Retirement Systems of Alabama retirement and to revise the start date to be May 8, 2023.

Further discussion took place regarding the Interim and Assistant County Engineer positions, revising the notification letter to the Alabama Department of Transportation with the effective date of May 1, 2023, the creation of a Solid Waste Officer position and changing accrued vacation time from 2.5 weeks to 4 weeks in the employment contract for Beth Hodges for the Budget Director position.

The Commissioners requested Deidra Hanak, Personnel Director, to prepare the contracts for the May 2, 2023, Regular meeting, and to remove pay scale grades for contract employees.

A Replacement Item is forthcoming with revised staff recommendation to add salary amounts, finalize effective dates, the appointment of Acting and Interim Assistant County Engineer, and final employment contracts for each appointed employee.

COMMISSIONER REQUESTS

Commissioner Ball requested Brad Hicks, County Attorney, to begin working on a tri-party agreement with the Board of Education, the City of Daphne and the Commission regarding the east-west road project from Milton-Jones Road to US Highway 98.

Commissioner McKenzie asked for the status of the donated sick leave bank, to which Mr. Hicks replied it needs further review.

Chairman Gruber noted the attorneys are working on transferring the old Vaughn School property from the Board of Education to the Baldwin County Commission.

Commissioner Underwood discussed a request to help with restroom updates at the old Ellisville School in order to be able to use as a voting place again. Commissioner Underwood asked if the Commission is

willing to assist with the updates and asked Brian Underwood, Grants Director, to look into available grants to help with the improvements needed.

Commissioner Ball left the meeting at 9:45 a.m.

SENIOR STAFF REPORT

Terri Graham, Development and Environmental Director, provided an update on the [Materials Recovery Facility](#), including facility design, equipment layout design, and funding and grant opportunities.

Commissioner Ball returned to the meeting at 9:48 a.m.

Commissioner Ball left the meeting at 9:49 a.m.

Commissioner Ball returned to the meeting at 9:52 a.m.

Terri Graham, Development and Environmental Director, introduced Jennifer Dunn, the new Recycle Outreach Coordinator.

Brian Peacock, CIS Director, discussed the need to remove a live oak tree located at the 3rd Street mitigation property in Lillian that is overhanging the adjacent property and is a hazard to the residence on that property.

COUNTY ATTORNEY'S REPORT

Brad Hicks, County Attorney, said there are several items to be discussed in an executive session.

PUBLIC COMMENTS

None.

PRESS QUESTIONS

None.

COMMISSIONER COMMENTS

The Commissioners provided their closing comments.

ADJOURNMENT

Brad Hicks, County Attorney, recommended the Commission adjourn the meeting and convene in executive session to discuss with their attorney, the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees; and the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action; and the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property.

Mr. Hicks said he is an attorney licensed to practice law in the State of Alabama and the litigation exception is applicable to the planned discussion. Mr. Hicks noted the executive session will last approximately 30 minutes and the Commission will not need to reconvene.

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, in accordance with Code of Alabama Section 36-25A-7, to adjourn into an executive session for approximately 30 minutes at 10:04 a.m. to:

- 1) discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees; and
- 2) discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action; and
- 3) discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property.

The motion passed by the following vote:

Aye: 4 - Charles F. Gruber, James E. Ball, Matthew P. McKenzie, and Billie Jo Underwood

Nay: 0

Absent: 0

Abstain: 0

Chairman Gruber said the May 1, 2023, Baldwin County Commission Work Session meeting is adjourned at 10:04 a.m.

A handwritten signature in black ink, appearing to read 'C. F. Gruber', written in a cursive style.



BALDWIN

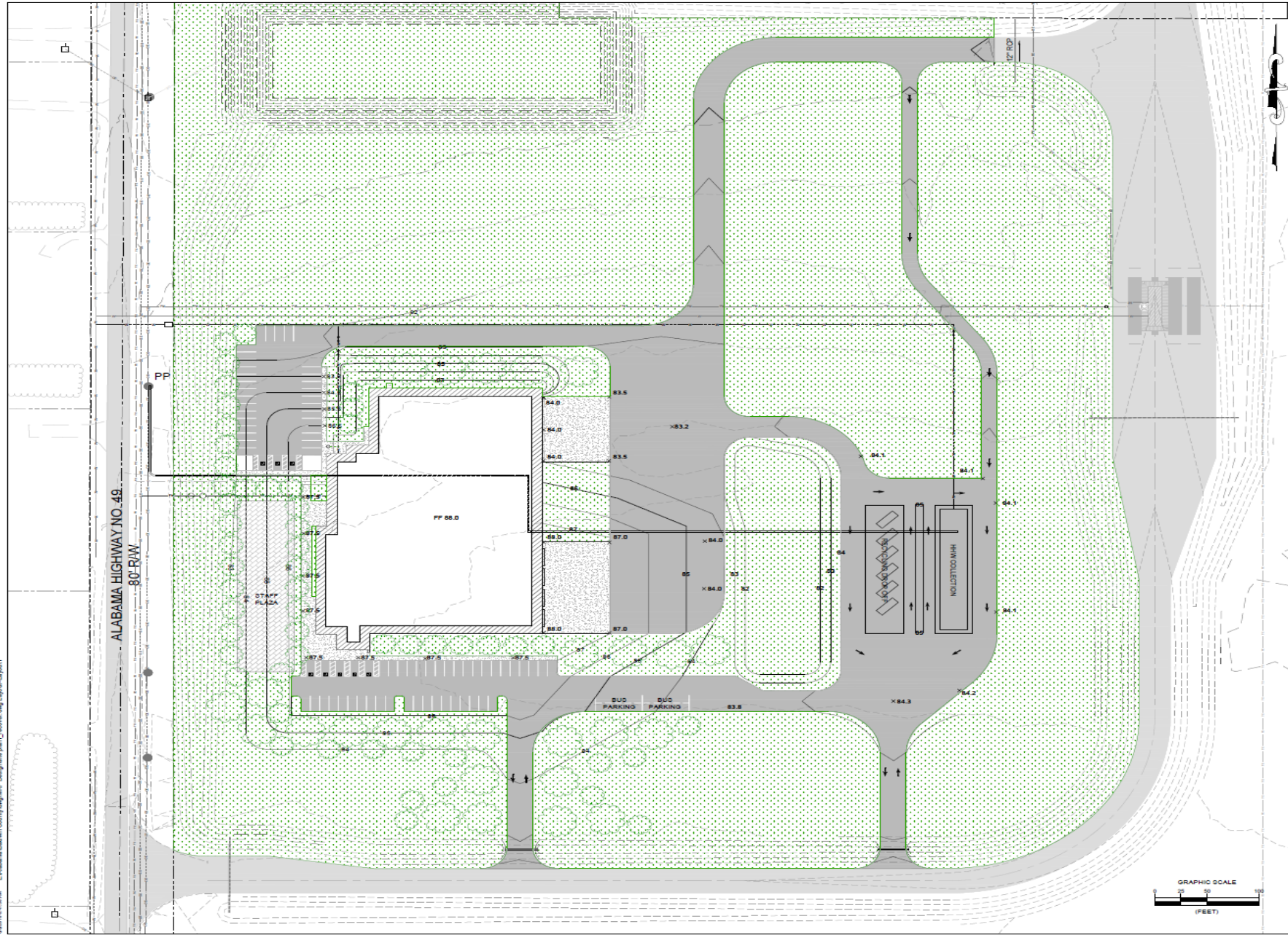
— COUNTY, ALABAMA —

RECYCLE

MATERIALS RECOVERY FACILITY



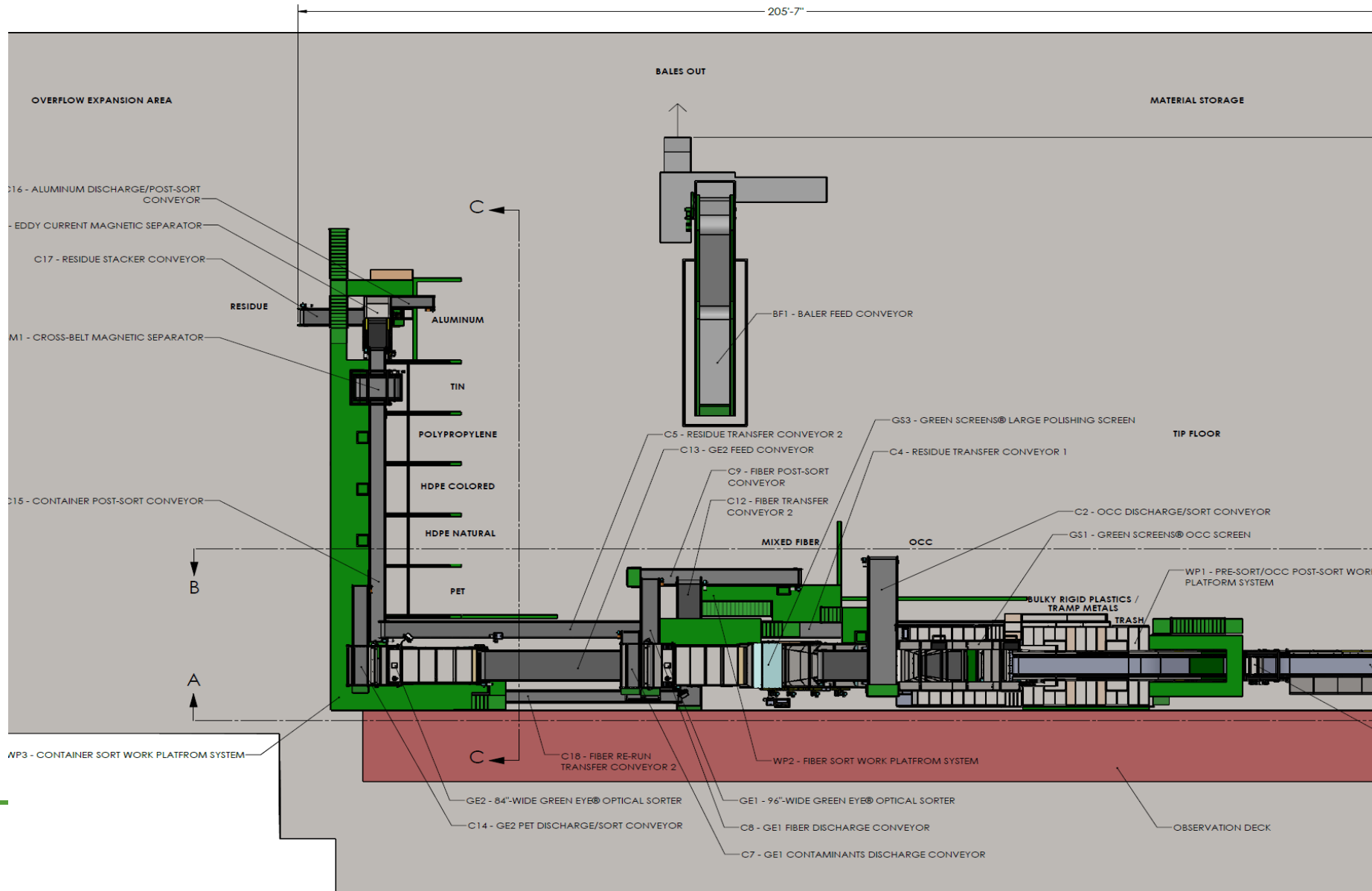
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Site Layout



MRF Equipment Layout and Design





CENTER FOR HARD TO RECYCLE MATERIALS

- Household Hazardous Waste
- Light Bulbs
- Batteries
- Styrofoam
- Glass
- Tanks & Extinguishers
- Electronics



Funding & Grant Opportunities

- **Material Recovery Facility**

- ARPA – \$6,200,000
 - Enumerated Uses – \$4,500,000
 - Revenue Replacement – \$1,700,000
- EPA – SWIFR (Track 2) - \$3,000,000
 - Award Notices June 2023
- The Recycle Partnership - \$652,990
 - PET / PP Optical Sorter
- ADEM - \$392,820
 - \$350,000 --- Rubber Tire Loader
 - Reimbursement Grant applied for by the City of Gulf Shores
 - \$42,820 – Forklift
 - Reimbursement Grant applied for by the City of Fairhope

Funding & Grant Opportunities

- **Education & Outreach**

- National Association of Conservation Districts - \$60,000
- The Recycle Partnership - \$75,000
 - With PET Application
- ADEM - \$350,000
 - Education Facility – BCC Application



Additional Funding Sources

Not Yet Applied For

- DCNR – GOMESA
- ADEM – Rubber Modified Asphalt
 - Parking Areas & Magnolia Convenience Center
- Department of Energy
 - Energy Efficiency Community Block Grant
- EPA
 - Lithium-Ion Battery Recycling
- The Recycle Partnership
 - Eddy Current
 - Glass Coalition
 - Convenience Centers

LaBella Task Orders



Payments to Date = \$197,850.30

MRF Equipment Selection – Task 02

- Awarded the Equipment Bid to Green Machine - \$3,656,805
 - Change Order #1 - \$181,953
- Awarded the Baler to Marathon Equipment Company - \$569,305.94
- Total Equipment Costs - \$4,408,063.94

MRF Probable Cost

Description	Cost	ADEM	ARPA (299)	ARPA (298)	EPA	Recycling Part.	Funding Amount	Defecit	Notes
1.0 Permitting, Fees and Professional Services	\$ 216,000			\$ 200,000			\$ 200,000	\$ 16,000	
2.0 General Construction	\$ 365,000			\$ 365,000			\$ 365,000	\$ -	
3.0 Infrastructure Construction	\$ 2,068,000						\$ -	\$ 2,068,000	Access Rd/CC Pvmt included here
4.0 MRF Building									
4.1 MRF Area	\$ 5,160,300		\$ 1,077,100	\$ 541,600	\$ 3,000,000		\$ 4,618,700	\$ 541,600	Assumes 50% is ARPA Fund 299 eligible
4.2 Offices and Education Center	\$ 2,013,000		\$ 720,000			\$ 200,000	\$ 920,000	\$ 1,093,000	Assumes 60% is ARPA Fund 299 eligible
4.3 HVAC	\$ 895,800		\$ 895,800				\$ 895,800	\$ -	Assumes 100% is ARPA Fund 299 eligible
5.0 MRF Equipment	\$ 3,656,805		\$ 1,781,001			\$ 500,000	\$ 2,281,001	\$ 1,375,804	Assumes 50% is ARPA Fund 299 eligible
Baler	\$ 569,306			\$ 569,306					Baler is Fund 298 revenue replacement
4.0 Convenience Center	\$ 150,000					\$ 150,000	\$ 150,000	\$ -	Does not include pavement
6.0 Rolling Stock	\$ 355,000	\$ 355,000					\$ 355,000	\$ -	
7.0 Parking Pavement	\$ 294,400	\$ 294,400					\$ 294,400	\$ -	Recycled tire pavement project
Total	\$ 15,449,211	\$ 649,400	\$ 4,473,901	\$ 1,675,906	\$ 3,000,000	\$ 850,000	\$ 9,785,501	\$ 5,094,404	
			ARPA TOTAL	\$ 6,149,807					



Expenses to Date

- LaBella - \$650,000
- Green Machine - \$3,838,758
- Marathon - \$569,305.94
- Thompson - \$355,000
- Total - \$6,063,063.94
- Total Payments to Date --- \$1,854,428.63