

Baldwin County Commission

Baldwin County Commission Regular
Meeting Minutes
Tuesday, November 19, 2019
8:30 AM



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

District 1 – Commissioner James E. Ball
District 2 – Commissioner Joe Davis, III
District 3 – Commissioner Billie Jo Underwood
District 4 – Commissioner Charles F. Gruber

Wayne A. Dyess, County Administrator

All supporting documentation for the minutes can be viewed in the File ID link of each item and are denoted by an asterisk.

A WELCOME, INVOCATION AND PLEDGE OF ALLEGIANCE

Present: 4 - Commissioner James E. Ball, Commissioner Joe Davis III, Commissioner BillieJo Underwood, and Commissioner Charles F. Gruber

Absent: 0

Also present were, Wayne Dyess, County Administrator, and Brad Hicks, County Attorney.

The Chairman called the meeting to order at 8:30 a.m. and introduced Reverend Andrew Itson, Pastor, Church of Christ, Robertsdale, Alabama, who appeared before the Commission, and led the Commission in prayer. After the Pledge of Allegiance led by Commissioner Joe Davis, III, the Commission transacted the following business to-wit:

ADOPTION OF MINUTES

November 5, 2019, Regular Meeting

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt the minutes of the November 5, 2019, Regular meeting.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

B CONSENT

Wayne Dyess, County Administrator, said staff has requested the removal of Item BA1 - Alabama Department of Senior Services/Senior Community Service Employment Program Host Agency Agreement and BE16 - Purchase and Installation

of One (1) New 80 Ton HVAC Chiller at the Baldwin County Satellite Courthouse Located in Foley, Alabama, from the consent agenda to be placed on a subsequent meeting agenda.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt the consent agenda with the exception of Items BA1 and BE16.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

BA ADMINISTRATION

BA1 Alabama Department of Senior Services/Senior Community Service Employment Program Host Agency Agreement [20-0228](#)

This Agenda Item was removed from the agenda at the request of staff.

BA2 Appointed Contract Employees - Building Official - Considerations Related to Employment Contract [20-0223](#)

Related to the Employment Contracts between the Baldwin County Commission and the Appointed Contract Employees, authorize and approve the execution of an Employment Contract between the Baldwin County Commission and Eddie D. Harper applicable to the position of Building Official at an annual compensation of \$93,600.00. This contract will be effective on December 2, 2019.

BA3 Termination of Professional Services Contract with Susan Andrews for the Provision of Court Reporting Services for the Baldwin County Commission [20-0230](#)

As authorized in Section XVIII. of the Contract for Professional Services between the Baldwin County Commission and Susan Andrews for the provision of court reporting services, approve the termination of the Contract at the request of the provider, said termination to be effective November 21, 2019.

BA4 North Baldwin County Health Care Authority Board - Board Appointment(s) [20-0224](#)

As related to the North Baldwin County Health Care Authority, take the following actions:

- 1) Re-appoint Mr. Dennis Goodwin as a member (Slot 2) to a six (6) year term, said term to commence on January 1, 2020, and expire on January 1, 2026; and

2) Re-appoint Mr. Jason Padgett as a member (Slot 5) to a six (6) year term, said term to commence on January 1, 2020, and expire on January 1, 2026; and

3) Re-appoint Mr. Robert Zarr as a member (Slot 9) to a six (6) year term, said term to commence on January 1, 2020, and expire on January 1, 2026.

BA5 Gateswood Annual Volunteer Fire Department 2019 Christmas Parade

[20-0114](#)

Approve the request from Gateswood Volunteer Fire Department to close County Road 112 for its Annual Christmas Parade, with the route beginning at 33014 County Road 112 (Gateswood Fire Department), traveling to 32815 County Road 112 (Hamilton Baptist Church), and returning to Gateswood Volunteer Fire Department, on December 7, 2019, between 11:30 a.m. until 11:45 a.m.

The Baldwin County Sheriff's Office will provide the necessary security for the event.

BA6 The Optimist Club of Perdido Bay's 29th Annual Lillian Christmas Parade

[20-0004](#)

Approve the requested route for the Optimist Club of Perdido Bay's 29th Annual Lillian Christmas Parade on Saturday, December 14, 2019, beginning at 1:00 p.m. on Widell Street, proceeding northeast on U.S. Highway 98, north on 6th Street, west on West Barclay, then south on Santa Piedro Street, back to the point of beginning. The parade is 1 ¼ miles long and will take approximately 1 hour and 15 minutes to complete.

The Baldwin County Sheriff's Office will provide security for the event and the Alabama Law Enforcement Agency, Highway Patrol Division, Troop A will provide traffic control on Highway 98.

BD **BALDWIN REGIONAL AREA TRANSIT SYSTEM (BRATS)**

BD1 2019-2020 Agreement for Transportation Services between Baldwin County Commission and the Baldwin County Board of Education for Project Search Program

[20-0197](#)

Take the following actions:

1) Adopt Resolution #2020-025 and approve an Agreement between the Baldwin County Commission and the Baldwin County Board of Education for Baldwin Regional Area Transit System (BRATS) to provide transportation services for the Project Search job training program for young people with disabilities at a one-time cost of \$25,445.70 for the 2019-2020 school year. (The term of this agreement shall commence on November 22, 2019, and expire May 21, 2020, and is contingent on Alabama Department of Transportation (ALDOT) approval.); and

2) Authorize the execution of any documents related to this agreement.

BD2 Service Modifications for Baldwin Regional Area Transit System (BRATS) [20-0196](#)

Approve the removal of festival routes from Baldwin Regional Area Transit System (BRATS) effective immediately.

BE BUDGET/PURCHASING

BE1 Competitive Bid #WG19-55A - Provision of Bag Ice for the Baldwin County Commission [20-0179](#)

Award Bid #WG19-55A for Provision of Bag Ice to Morgan's Ice as follows:

Item: Ice 10 lb. bag

Amount Bid: \$0.125 per LB = \$ 1.25 per 10 lb. bag

Manufacturer or Brand: Morgan's Ice

Transportation per hour rate: No Charge

BE2 Competitive Bid #WG20-01 - Provision of Guardrail Installation and Repair on County Right-of-Ways for the Baldwin County Commission [20-0180](#)

Award Bid #WG20-01 for the provision of guardrail installation and repair on County Right-of-Ways to the lowest bidder, C & H Construction Services, LLC, as per the Award Listing and authorize the Chairman to execute the Contract. (Contract effective immediately upon the same date as its full execution for twelve (12) months.)

BE3 Competitive Bid #WG20-02 - Provision of Charter Transportation Services for the Baldwin County Commission [20-0182](#)

Authorize the Purchasing Director to re-bid for the provision of charter transportation services and authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

BE4 Competitive Bid #WG19-04 - Labor and Incidental Materials for Roof Replacement at the Baldwin County Sheriff's Investigation Building Located in Robertsdale, Alabama [20-0183](#)

Approve Change Order No. 1 in the amount of \$16,001.36 with Carter's Contracting Services, Inc. for the labor and incidental materials for roof replacement at the Baldwin County Sheriff's Investigation Building located in Robertsdale, Alabama, and authorize the Chairman to execute the Change Order.

BE5 Competitive Bid #WG20-05 - Purchase of One (1) Trailer Mounted Bituminous Machine for the Baldwin County Commission [20-0184](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the purchase of one (1) trailer mounted bituminous machine and authorize the Purchasing Director to place a competitive bid; and
- 2) Further, authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

BE6 Competitive Bid #WG20-06 - Provision of Crushed Aggregates for the Baldwin County Commission

[20-0185](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the provision of crushed aggregates; and
- 2) Further, authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

BE7 Rental of One (1) Copy Machine for the Baldwin County Board of Education Located in Bay Minette, Alabama

[20-0186](#)

Approve and authorize the Chairman to execute the rental agreement with Sharp Electronics Corporation for the rental of one (1) new copy/scanner machine off the State of Alabama bid for thirty-six (36) months effective the date of execution as follows:

Location: Board of Education Superintendent Office - Bay Minette, Alabama
Model: MX-M6071
Price: \$169.81/month
Excess Charge/copy: \$0.0049 B/W

BE8 Rental of Two (2) New Copy Machines for the Baldwin County Judge of Probate Office Located in the Fairhope Satellite Courthouse and Board of Registrar's Office Located in Bay Minette

[20-0187](#)

Approve and authorize the Chairman to execute the rental agreements with Sharp Electronics Corporation for the rental of two (2) new copy machines off the State of Alabama bid for thirty-six (36) months effective the date of execution as follows:

Location: Judge of Probate Office - Fairhope Satellite Courthouse
Model: MX-M6051
Price: \$120.45/month

Excess Charge/copy: \$0.0049/BW

Location: Board of Registrar's Office - Bay Minette

Model: MX-M4071

Price: \$159.38 /month

Excess Charge/copy: \$0.0065/BW, \$0.0450/Color

BE9 Rental of Four (4) New Copy Machines for Various Baldwin County Solid Waste Offices Located in Summerdale and Loxley, Alabama

[20-0188](#)

Approve and authorize the Chairman to execute the rental agreements with Sharp Electronics Corporation for the rental of four (4) new copy machines off the State of Alabama bid for thirty-six (36) months effective the date of execution as follows:

Maintenance Shop - Magnolia Landfill - Summerdale

Model: Sharp MX-4071

Price: \$168.49

Excess Charge/copy: Color \$0.0450/copy B/W \$0.0065/copy

Solid Waste Collections Department - Summerdale

Model: Sharp MX-6071

Price: \$209.31

Excess Charge/copy: Color \$0.0400/copy B/W \$0.0054/copy

Scale House - Magnolia Landfill - Summerdale

Model: Sharp MX-4071

Price: \$168.49

Excess Charge/copy: Color \$0.0450/copy B/W \$0.0065/copy

MacBride Landfill - Loxley

Model: Sharp MX-4071

Price: \$168.49

Excess Charge/copy: Color \$0.0450/copy B/W \$0.0065/copy

BE10 Lease of One (1) Letter Opener for the Baldwin County Sales and Use Tax Office Located in Robertsedale, Alabama

[20-0190](#)

Authorize the Chairman to execute the lease agreement with Neopost USA Inc. (Accurate Control of Fairhope) for the lease of one (1) letter opener off the State of Alabama bid for thirty-six (36) months effective upon full execution of agreement as follows:

Neopost IM16 Letter Opener

Full Coverage Maintenance Contract

\$232.14 per quarter - total per year \$928.56

BE11 Lease of One (1) Postage Machine for the Baldwin County Satellite Courthouse Located in Fairhope, Alabama

[20-0189](#)

Authorize the Chairman to execute the lease agreement with Neopost USA Inc. (Accurate Control of Fairhope) for the lease of one (1) postage machine off the State of Alabama bid for thirty-six (36) months for the Fairhope Satellite Courthouse effective upon full execution of agreement as follows:

Neopost Model IN600AFSH - IN Series 600 Base w/Autofeeder, Sealer & Catch Tray
Neopost INWP5 - IN Series 5 Weighing Platform
Neopost IN600AERR - IN Series 600(AF) e-RR Feature & Activation Kit, with bc Scanner
Includes e-RR Rate File w/100 eDel Conf. 100 eSig Conf & 300 eCert Labels

Accounting Package
Rate Protection
Full Coverage Maintenance Contract
\$674.58 per quarter - \$2,698.32 per year

BE12 Lease of One (1) Postage Machine for the Baldwin County Solid Waste Department Located at the Magnolia Landfill

[20-0191](#)

Authorize the Chairman to execute the lease agreement with Neopost USA Inc. (Accurate Control of Fairhope) for the lease of one (1) postage machine off the State of Alabama bid for thirty-six (36) months for the Solid Waste Department located at the Magnolia Landfill effective upon full execution of agreement as follows:

Solid Waste Department - Magnolia Landfill
Neopost Model IN360SH-P5 - IN360 Base w/5lb Integrated Weigh Platform, Moistener & Catch Tray
IN3ERR - IN360 e-RR activation & starter kit, include e-RR SW & Rate File w/50 eDel Conf, 50 eSig Conf & 100 eCert labels
INSCAN - IN USB Barcode Scanner for Department Scanning or eServices
Accounting Package, Rate Protection & Full Coverage Maintenance Contract

\$370.56 per quarter - \$1,482.24 per year

BE13 Lease of Bay Minette Storage Building for the Baldwin County Budget/Purchasing Department

[20-0192](#)

Approve and authorize the Chairman to execute the lease agreement with Wharehouse, LLC, in the amount of \$8,700.00 annually for the twenty-nine (29) months payable in quarterly installments of \$2,175.00 commencing November 1, 2019, for the storage of equipment and surplus furniture. (Contract term is for twenty-nine (29) months effective on November 1, 2019, and ending March 31, 2022.)

BE14 Baldwin County Resurfacing Projects 2020: Group #1 - BCR-2020-1

[20-0193](#)

Award the bid for Baldwin County Resurfacing Projects 2020: Group #1 - BCR-2020-1 to the lowest bidder, Ammons & Blackmon Construction, LLC, Bid Amount \$435,578.89 for Alternative 2 (lay down only) with Baldwin County providing the plant mix; Construction Time: 45 working days; and authorize the Chairman to execute the Contract.

BE15 Project No. BCP 0205418 - Bridge Replacement on Fred Dugger Road Over Unnamed Tributary to Negro Creek for the Baldwin County Commission

[20-0194](#)

Take the following actions:

1) Award the bid for Project No. BCP 0205418 - Bridge Replacement on Fred Dugger Road Over Unnamed Tributary to Negro Creek to the lowest bidder, Pope Contracting, Inc., in the Bid Amount of \$873,786.25; Construction Time: 90 working days; and authorize the Chairman to execute the Contract; and

2) Adopt budget Resolution #2020-029 to move funding from Fiscal Year 2020 project 0222519 in the amount of \$200,000.00 to Fiscal Year 2019 project 0205418.

BE16 Purchase and Installation of One (1) New 80 Ton HVAC Chiller at the Baldwin County Satellite Courthouse Located in Foley, Alabama

[20-0195](#)

This item was removed from the agenda at the request of staff.

BE17 Amended Memorandum of Understanding - School Resource Officer (SRO) Programs at Baldwin County Public Schools - City of Fairhope, City of Orange Beach and Town of Elberta

[20-0235](#)

Approve an Amended Memorandum of Understanding between the Baldwin County Commission, Baldwin County Sheriff's Office, Baldwin County Public Schools (Baldwin County Board of Education) and the following municipalities which increases the funding appropriation annually to the schools within each municipality for the administration of the School Resource Officer Program within the municipality:

City of Fairhope City Council and Police Department;
City of Orange Beach and Police Department; and
Town of Elberta and Police Department.

The Amended Memorandums of Understanding shall be effective as of August 14, 2019. The expiration date of each MOU remains the same (August 15, 2020).

BF BUILDING INSPECTION

BF1 Alabama Department of Environmental Management Coastal Area Program - Resubmittal for Local Program Delegation [20-0202](#)

Approve and authorize the Chairman to sign a letter requesting re-delegation to the Alabama Department of Environmental Management (ADEM) for the ADEM Coastal Program in accordance with ADEM Admin Code R, 335-8-1-.12.

BJ ELECTED OFFICIALS

BJ1 Baldwin County Sheriff's Office Equitable Sharing Agreement and Certification Report for the Department of Justice and the Department of Treasury for Fiscal Year Ending September 30, 2019 [20-0220](#)

Take the following actions:

- 1) Approve the Baldwin County Sheriff's Office to submit the Equitable Sharing Agreement and Certification Report for Fiscal Year 2018-2019, to the U.S. Department of Justice, detailing the funds received and spent by the Baldwin County Sheriff's Office from federal forfeited cash and property from cases that the Baldwin County Sheriff's Office has participated in during Fiscal Year 2018-2019; and
- 2) Authorize Connie Dudgeon, Director of Finance for the Baldwin County Sheriff's Office, to upload the Agreement to the Department of Justice through their eShare portal.

BK EMERGENCY MANAGEMENT AGENCY (EMA)

BK1 Lease Agreement for the use of the Daphne Civic Center by the Baldwin County Emergency Management Agency (EMA) for the 2020 Baldwin County Disaster Preparedness Expo [20-0206](#)

Approve and authorize the Chairman to sign the lease agreement between the City of Daphne and Baldwin County Commission/Emergency Management Agency for use of the Daphne Civic Center as the venue for the 2020 Baldwin County Disaster Preparedness Expo on June 9, 2020, at no charge.

BL ENVIRONMENTAL MANAGEMENT

BL1 Application for Certificate of Exception from Garbage Pick-Up [20-0181](#)

Take the following action:

As authorized by Section 22-27-23 of the Code of Alabama 1975, and without limitation, approve the Application for Certificate of Exception from Garbage Pick-Up as permitted by, and applicable to, as follows:

Approve for a period not to exceed one (1) year commencing October 15, 2019:

Marcus Armstead
40011 Bertha Cleveland Road South
Bay Minette, Alabama 36507
(Application Receipt No. 1215)

BL2 Baldwin County Solid Waste Uncollectible Residential Accounts [20-0200](#)

Approve the uncollectible residential garbage accounts list for write-offs in the amount of \$1,183.00.

BL3 Magnolia Landfill Financial Assurance [20-0198](#)

Recognize the Closure & Post Closure Liability Accrual for Magnolia Landfill for fiscal year 2019. Total accrual will be \$435,471.10. No cash transfer is needed this fiscal year. Cash account is funded as required to date.

BL4 Transfer of Property Located on Longview Drive in Loxley, Alabama, from the Baldwin County Solid Waste Department to the Baldwin County Commission [20-0199](#)

Take the following actions:

1) Transfer to the Baldwin County Commission (General Fund) from the Baldwin County Solid Waste (Proprietary Fund) 1.48 acres of property, for a lump sum price of \$8,880.00. This property is located off County Road 49, in Loxley, Alabama. The physical address is 14771 Longview Drive, Parcel: 42-05-21-0-000-018.000, PPIN No.: 26709; and

2) Authorize the Clerk/Treasurer to issue a check to Baldwin County Solid Waste Department from the Baldwin County Commission in the amount of \$8,880.00 for property transfer.

BM FINANCE AND ACCOUNTING

BM1 Establish a Cash Drawer at the Baldwin County Building Inspection Office in Bay Minette, Alabama [20-0205](#)

Take the following actions:

1) Add a cash drawer at Baldwin County Building Inspection Office in Bay Minette, Alabama in the amount of \$100.00; and

2) Approve and authorize Clerk/Treasurer to issue interim check.

BM2 Write-off of Non-Sufficient Funds (NSF) Checks [20-0204](#)

Approve the list of uncollectable NSF checks for write-offs in the amount of \$242.00.

BN HIGHWAY

BN1 Baldwin County Mega Site Railroad Spur - Wetland Mitigation [20-0211](#)

Approve the deduction of 6.48 Forested Wetland Credits from the Baldwin County Mitigation Site Bank 1 to fulfill the U.S. Army Corps of Engineers mitigation requirements for the construction of a railroad spur at the Baldwin County Mega-site.

BN2 City of Daphne - Quitclaim Deed - County Parcel on Van Buren Street [20-0210](#)

Authorize the Chairman to sign a Quitclaim Deed conveying any and all rights and title to a County Parcel on Van Buren Street (Parcel Number: 05-43-03-06-0-004-032.002) to the City of Daphne.

BN3 Development Agreement between the Baldwin County Commission and GCOF Reserve at Daphne, LLC., for Funding of an Auxiliary Lane on County Road 64 [20-0216](#)

Approve and authorize the Chairman to execute the Development Agreement between the Baldwin County Commission and GCOF Reserve at Daphne, LLC., for funding of an auxiliary lane on County Road 64. (This agreement shall be effective upon the date of full execution by both parties and shall be for twenty-four (24) months from its effective date unless terminated by the County upon the delivery of a thirty (30) day notice via certified mail.)

BN4 Resolution No. 2020-026 and Preliminary Engineering Funding Agreement for the Addition of Paved Shoulders on County Road 99 from Carrier Drive to Spanish Cove Drive [20-0208](#)

Approve Resolution #2020-026 and an agreement with the Alabama Department of Transportation (ALDOT) for the financing of preliminary engineering costs associated with the addition of paved shoulders on County Road 99 from Carrier Drive to Spanish Cove Drive. The estimated cost for preliminary engineering is \$50,000.00 with \$40,000.00 (80%) coming from the Florida - Alabama Transportation Planning Organization and Baldwin County funding the remaining \$10,000.00 (20%). Funding is subject to availability of Federal Aid Funds at the time of authorization. (Agreement shall be effective on the date of the approval of the Governor of Alabama and may be terminated by either party upon the delivery of a thirty (30) day notice of termination.)

BN5 Resolution No. 2020-028 and Letter of Intent for a Roundabout at County Road 13 and County Road 44 [20-0209](#)

Approve Resolution #2020-028 and a Letter of Intent for the Roundabout at County Road 13 and County Road 44 project.

BN6 Speed Limit on South Hickory Street from South of County Road 26 to Charolais Road [20-0215](#)

Approve lowering the speed limit on South Hickory Street south of County Road 26 to Charolais Road from 45 MPH to 35 MPH.

BN7 Transfer Portions of Twin Beech Road (County Road 44) and Bishop Road to the City of Fairhope [20-0213](#)

Take the following actions:

1) Adopt Resolution #2020-020 authorizing and consenting to the transfer of ownership, maintenance and responsibility of Twin Beech Road (County Road 44) (from the intersection of Greeno Road to the intersection of County Road 13, approximately 1.00 miles) and Bishop Road (from the intersection of Fairhope Avenue to the intersection of Edwards Avenue, approximately 0.25 miles) from Baldwin County to the City of Fairhope; and

2) Approve an agreement between Baldwin County and the City of Fairhope for the transfer of Twin Beech Road (County Road 44) (from the intersection of Greeno Road to the intersection of County Road 13, approximately 1.00 miles) and Bishop Road (from the intersection of Fairhope Avenue to the intersection of Edwards Avenue, approximately 0.25 miles) from Baldwin County to the City of Fairhope. (This agreement shall be effective upon full execution.)

BQ PERSONNEL

BQ1 Request for Leave of Absence [20-0226](#)

At the request of the Building Official, approve a Leave of Absence for employee #190645 beginning December 2, 2019, for up to a three-month period as outlined in the Baldwin County Employee Handbook, Section IV.I. "If an employee exhausts all of his or her annual, sick and FMLA leave and still needs additional time off for personal or health reasons, he or she may apply for an unpaid leave of absence for a period of up to three (3) months. The request for leave must be given to the employee's supervisor and Appointed Department Head at least thirty (30) days prior to the start of the requested leave date unless the leave is an emergency. Any request for leave of absences must be approved or denied by the County Commission."

BQ2 BRATS Department - Position Changes [20-0229](#)

Take the following actions:

- 1) Abolish the full-time Bus Driver position (PID #3063); and
- 2) Create two (2) part-time Bus Driver positions (PID #TBD); and
- 3) Approve the transfer of John Thornton from the full-time Bus Driver position (PID #5185) grade G-08 (\$15.806 per hour/\$32,876.48 annually) to fill the open part-time Bus Driver position (PID #PT01), with no change in hourly pay, to be effective no sooner than December 9,2019; and
- 4) Approve the employment of Jerita Cooley to fill the open part-time Bus Driver (PID #PT06) grade G-EL (\$12.967 per hour); and
- 5) Approve the employment of James Brown to fill the open part-time Bus Driver (PID #TBD) grade G-EL (\$12.967 per hour); and
- 6) Approve the updated organizational chart for the BRATS Department.

BQ3 Building Inspections - Promotion of Employee into Building Inspector III Position

[20-0171](#)

Approve the promotion of Christopher Byrd from the Engineering Technician II position (PID #4037) grade J-01 (\$17.602 per hour/\$36,612.16 annually), in the Highway Construction Department (00111/53120), to fill the Building Inspector III position (PID #135) at a grade L-EL (\$20.723 per hour/\$43,103.84 annually), in the Building Inspections Department (00001/52710), to be effective no sooner than November 25, 2019.

BQ4 Juvenile Detention Center - Employment of Two (2) Part-Time Detention Technician Positions

[20-0175](#)

Take the following actions:

- 1) Approve the employment of Stephen Richerson to fill the open part-time Detention Technician position (PID #PT42) at a grade G-EL (\$12.967 per hour); and
- 2) Approve the employment of Harvey Turner to fill the open part-time Detention Technician position (PID #PT40) at a grade G-EL (\$12.967 per hour).

The actions will be effective no sooner than November 25, 2019.

BQ5 Highway Department (Bay Minette) - One (1) Laborer Position

[20-0170](#)

Approve the employment of Richard Roberts to fill the open Laborer position (PID #5487) at a grade E-EL (\$10.781 per hour/\$22,424.48 annually) to be effective no sooner than

November 25, 2019.

BQ6 Highway Department (Foley) - One (1) Laborer Position

[20-0172](#)

Approve the employment of Marcus Dubisson to fill the open Laborer position (PID #5493) at a grade E-EL (\$10.781 per hour/\$22,424.48 annually) to be effective no sooner than November 25, 2019.

BQ7 Highway Department (Pre-Construction Engineering) - Employment of One (1) Right-of-Way Technician II Position

[20-0173](#)

Approve the employment of Tate Chalfant to fill the open Right-of-Way Technician II position (PID #5498) at a grade J-EL (\$17.176 per hour/\$35,726.08 annually) to be effective no sooner than November 25, 2019.

BQ8 Highway Department (Traffic Operations) - Personnel Changes

[20-0174](#)

Take the following actions:

- 1) Approve the employment of Colton Clark to fill the open Operator Technician I position (PID #5287) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually); and
- 2) Approve the employment of Terrence Coleman to fill the open Traffic Control Technician I position (PID #5497) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually); and
- 3) Approve the employment of Heather Hawthorne to fill the open Operations Support Specialist I position (PID #5496) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually).

These actions will be effective no sooner than November 25, 2019.

BQ9 Highway Department (Silverhill) - One (1) Laborer Position

[20-0176](#)

Approve the employment of Treavor Thicklen to fill the open Laborer position (PID #5489) at a grade E-EL (\$10.781 per hour/\$22,424.48 annually) to be effective no sooner than November 25, 2019.

BQ10 Solid Waste Department - Personnel Changes

[20-0177](#)

Take the following actions:

- 1) Approve the employment of Molly Williams to fill the open Scale Attendant position (PID #1017) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) at the Magnolia Landfill (54300); and

2) Approve the employment of Joshua Chavers to fill the open Solid Waste Technician position (PID #5246) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) in Solid Waste Collections (54800).

These actions will be effective no sooner than November 25, 2019.

BQ11 Baldwin County Commission Blue Cross Blue Shield (BCBS) Accounts Receivable [20-0225](#)

Approve the write-off for the uncollectible balance from the Highway Fund 111 Employee A/R accounts, totaling \$618.82.

BQ12 Stop Loss Proposal - Partners Managing General Underwriters/United States Fire Insurance Company [20-0221](#)

Approve and authorize the Chairman to execute the Medical Stop Loss proposal with Partners Managing General Underwriters/United States Fire Insurance Company for specific and aggregate stop loss insurance to be effective January 1, 2020.

C PRESENTATIONS

CA GENERAL

CA1 Proclamation - 2019 Day of Thanks [20-0033](#)

Ms. Ruthie Campbell with Baldwin County United, appeared before the Commission to accept the proclamation as presented by Commissioner Ball on behalf of the Commission.

After Wayne Dyess, County Administrator, read the proclamation for the record, Ms. Campbell thanked the Commissioners for the Day of Thanks proclamation and read a prepared statement.

Commissioner Ball thanked Ms. Campbell for all she does for the County. It is people like her who make the Commissioners' jobs run smoothly, go well and helps them to love what they do. Commissioner Ball thanked Ms. Campbell for all she does for the community.

Commissioner Davis said he echoes Commissioner Ball's comments and said if everyone can be passionate about something and then share it like Ms. Campbell does every day, the County would be an even better place.

Commissioner Gruber thanked Ms. Campbell for partnering with the Commission to provide the Day of Thanks. This started 16 years ago and at that time, it was something the Commissioners felt they needed to do for the County. It has been

a tradition that started out in Bay Minette, but now moves around the County. Commissioner Gruber said it is good for the public to come have a day of prayer with the Commissioners and everyone else.

Chairman Underwood thanked Ms. Campbell and said this will be her third time attending this event after Ms. Campbell told her about this three years ago. Chairman Underwood said she is excited and she thanks Ms. Campbell for her contagious smile and personality. The Commissioners are looking forward to next Tuesday and the Day of Thanks breakfast.

Ms. Campbell said this is her 8th year to be a part of this event. She thanks the Commissioners for this recognition.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to adopt a Proclamation which sets aside November 26, 2019, as a countywide "Day of Thanks" in Baldwin County, Alabama and invites the citizens of Baldwin County to a "Day of Thanks" (public) breakfast, hosted by Baldwin County United for the Baldwin County Commission, on Tuesday, November 26, 2019, beginning at 8:30 a.m., at the Baldwin County Central Annex in Robertsedale, Alabama.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

D PUBLIC HEARINGS

DR PLANNING AND ZONING

DR1 Case No. Z-19040 - Advanced Restoration Technologies Inc. Property Rezoning [20-0217](#)

Linda Lee, Planner appeared before the Commission and provided background information on the subject property.

Chairman Underwood opened the public hearing at 8:44 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Underwood closed the public hearing at 8:44 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt Resolution #2020-013, which approves Case #Z-19040, Advanced Restoration Technologies, Inc. Property, as it pertains to the rezoning of 4.4 acres, more or less, as located in Planning (Zoning) District 30, from RA, Rural Agricultural District, to B-3,

General Business District.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

DR2 Case No. Z-19041 - Thomas Robert Trebesh Trust Property Rezoning

[20-0218](#)

Celena Boykin, Planner, appeared before the Commission and provided background information on the subject property.

Chairman Underwood opened the public hearing at 8:46 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Underwood closed the public hearing at 8:47 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt Resolution #2020-014, which approves Case Z-19041, Thomas Robert Trebesh Trust Property, as it pertains to the rezoning of 19.75 acres, more or less, as located in Planning (Zoning) District 12, from RSF-1, Residential Single-Family Estate District to RA, Rural Agriculture District.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

DR3 Case No. Z-19042 - Parnell Development Property Rezoning

[20-0219](#)

Celena Boykin, Planner, appeared before the Commission and provided background information on the subject property.

Commissioner Gruber asked if the zoning designation is changed, will the entire subdivision be redone?

Ms. Boykin said no, the subdivision will stay as it is. The applicant is asking to rezone the larger lots to RSF-E which meet the minimum lot size requirement. The applicant wants to give the property owners the opportunity to have horses if they

would like. Ms. Boykin said one of the largest lots is 20 acres in that subdivision.

Commissioner Davis said he will recuse himself from voting on this case, he and the applicant were and continue to be business associates. He feels it is best that he not participate in this case.

Chairman Underwood opened the public hearing at 8:50 a.m. and asked if there is anyone present who wishes to speak.

Mr. Donnie Clark appeared before the Commission and thanked the Commissioners for allowing him to speak. He is here representing the applicant and will answer any questions the Commissioners may have.

There being no further requests to address the Commission, Chairman Underwood closed the public hearing at 8:51 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to adopt Resolution #2020-015, which approves Case Z-19042, Parnell Development Property, as it pertains to the rezoning of 64.82 acres, more or less, as located in Planning (Zoning) District 4, from RSF-1, Residential Single-Family District to RSF-E, Residential Single-Family Estate District.

The motion passed by the following vote:

Aye: 3 - James E. Ball, BillieJo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 1 - Joe Davis III

E COMMITTEE REPORTS

EA FINANCE/ADMINISTRATION DIVISION

EA1 Payment of Bills

[20-0155](#)

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, to pay bills totaling \$3,329,727.79 (three million, three hundred twenty-nine thousand, seven hundred twenty-seven dollars and seventy-nine cents) with the exception of Vendor #106, which is listed in the Baldwin County Accounts Payable Payments - November 19, 2019, for a revised total of \$3,329,195.23.

Of this amount, \$180,679.66 (one hundred eighty thousand, six hundred seventy-nine dollars and sixty-six cents) is payable to the Baldwin County Board of Education for its portion of the County Sales and Use Tax.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to pay Vendor #106 in the amount of \$532.56.

Vendor #106: Davis, Joseph Lee III - \$532.56

The motion passed by the following vote:

Aye: 3 - James E. Ball, BillieJo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 1 - Joe Davis III

EA2 Notification of Interim Payments Approved by Clerk/Treasurer as Allowed Under Policy 8.1 [20-0156](#)

Wayne Dyess, County Administrator, informed the Commission that the Baldwin County Commission Interim Payments - November 19, 2019, made by the Clerk/Treasurer totaling \$2,709,717.21 (two million, seven hundred nine thousand, seven hundred seventeen dollars and twenty-one cents) are a part of the record.

EB ROAD AND BRIDGE DIVISION

F ELECTED OFFICIAL REQUESTS

G OTHER STAFF RECOMMENDATIONS

GN HIGHWAY

GN1 County Road 28 and State Route 59 Traffic Signal Installation - Intergovernmental Service Agreement with the Town of Summerdale [20-0212](#)

Commissioner Gruber said his question was cleared up.

Joey Nunnally, County Engineer, appeared before the Commission and said the question brought up during the work session was who would maintain the signal from here on. He reached out to the Town of Summerdale who agreed to maintain the signal from here on.

Chairman Underwood asked if staff received the paperwork back, to which Mr. Nunnally replied yes, staff received it yesterday.

Mr. Nunnally said everything is good to go and that is why staff is bringing it forth now.

Chairman Underwood said she will abstain from the vote.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to approve an Intergovernmental Service Agreement between Baldwin County and the Town of Summerdale for funding assistance to install a traffic signal at the intersection of County Road 28 and State Route 59. (This agreement shall become effective upon the date of full execution by both parties and terminate twenty-four (24) months from its effective date.)

The motion passed by the following vote:

Aye: 3 - James E. Ball, Joe Davis III, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 1 - BillieJo Underwood

GN2 Resolution No. 2020-027 and Construction Funding Agreement for Intersection Improvements at County Road 71 at State Route 59 and Signal Installation at County Road 28 and State Route 59

[20-0207](#)

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to approve Resolution #2020-027 and authorize the Chairman to execute a construction funding agreement with the Alabama Department of Transportation (ALDOT) for the following:

- 1) Intersection improvements at County Road 71 at State Route 59 for an estimated cost of \$105,058.83 with ALDOT funding the project; and
- 2) Signal installation at County Road 28 and State Route 59 for an estimated cost of \$209,402.64 with ALDOT and Baldwin County each providing 50% (\$104,701.32).

(The Agreement shall be effective on the date of the approval of the Governor of Alabama and shall terminate on January 1, 2022, unless terminated by either party upon the delivery of a thirty (30) day notice of termination.)

The motion passed by the following vote:

Aye: 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

GQ PERSONNEL

Wayne Dyess, County Administrator, said at one point in time, the Mechanic II position was shared between the Parks Department and the Highway Department. In talking with Joey Nunnally, County Engineer, the Mechanic II position is more of a heavy mechanic. The Parks Department deals more with small engine repairs. Mr. Dyess said this is the reason staff is requesting a Mechanic I for the Parks Department, because a heavy mechanic is not needed in that particular area.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Joe Davis, III, to take the following actions:

- 1) Transfer the Mechanic II position (PID #5445) from the Parks Department (00144/57200P) to the Highway - Traffic Operations Department (00111/53135); and
- 2) Create a Mechanic I position (PID #TBD) (grade H range: \$29,631.68 - \$48,642.88 annually), in the Parks Department (57200P).
- 3) Approve the updated position description for Mechanic I; and
- 4) Approve the updated position description for Mechanic II; and
- 5) Approve the updated organizational chart for the Traffic Operations Department and Parks Department.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to take the following actions:

- 1) Create one (1) Real Property Support Technician I position (PID #TBD) (grade G range: \$26,971.36 - \$44,231.20 annually); and
- 2) Re-title the Real Property Analyst I position (PID #996) to Real Property Appraiser III, with no change in pay grade; and
- 3) Approve the promotion of Candice Dominy from the Real Property Appraisal

Supervisor (PID #5302) grade EC-08 (\$74,176.33 annually) to fill the open Assistant Administrator of Re-Appraisal position (PID #5516) at a grade EC-09 (\$82,500.00 annually), to be effective no sooner than November 25, 2019; and

4) Approve the position description for Real Property Appraiser III; and

5) Approve the updated organizational chart for the Revenue Commission.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

H COMMISSIONER REQUESTS

I ADDENDA

J ADMINISTRATIVE REPORT

K COUNTY ATTORNEY'S REPORT

Brad Hicks, County Attorney, said there are three matters today that should be discussed in an executive session. Mr. Hicks recommended the Commission enter into an executive session to 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. Mr. Hicks said if the Commissioners make the motion to adopt the recommendation and second it, before they vote, he will make his statement for the record. One of the matters will require the Commission to reconvene after the executive session. Before convening the executive session, he recommends Chairman Underwood state for the record that the meeting will reconvene after thirty minutes.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to enter into an executive session to 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.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

After the motion and before the vote, Mr. Hicks said he is an attorney licensed to practice law in the State of Alabama. The planned discussion complies with the reason for the executive session under Section 36-25A-7-3.

L ANNOUNCEMENTS

M PUBLIC COMMENTS

N PRESS QUESTIONS

O COMMISSIONER COMMENTS

Commissioner Davis said it is very important when the Commissioners communicate with the citizens that they recognize and realize that unless official action has been taken, a conversation with them is just that, a conversation. When the Commissioners convene and address a topic and take action, then it becomes an official Commission action. Commissioner Davis said he is reminding the citizens, elected officials and the Commissioners of how the Commission functions. He appreciates everyone's input and feedback. The only way the Commission can do things better is for the Commissioners to hear what the public feels is needed and the Commissioners will share that information as timely as possible.

Commissioner Gruber wished everyone a Happy Thanksgiving and encouraged everyone to be safe if they are traveling. He heard this morning that the Cities of Foley and Daphne were both recognized as one of the safest places to live. That is saying a lot for those two cities. Commissioner Gruber thanked the Cities for all they do to make it safe for the citizens.

Chairman Underwood wished everyone a Happy Thanksgiving and said this is the last regular meeting prior to the holiday. There will be a work session held on next Tuesday after the Day of Thanks Breakfast in Robertsedale. Earlier in the meeting Ms. Ruthie Campbell with Baldwin County United invited the public to Central Annex for the public breakfast. Chairman Underwood thanked staff for helping her with the agenda and for all they do.

Commissioner Davis thanked Chairman Underwood and said it is 9:04 a.m. for the record.

EXECUTIVE SESSION

Chairman Underwood said the Commission will enter into an executive session at 9:04 a.m. and reconvene in 30 minutes.

The meeting reconvened at 9:50 a.m.

K OPIOID LITIGATION

Brad Hicks, County Attorney, said he was not a part of the discussion, but whatever action that will be taken, a motion should be made.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to accept the recommendation given to the Commissioners by Attorney David Conner, and remain a part of Opioid Litigation class action lawsuit.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

P ADJOURNMENT

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adjourn the November 19, 2019, Baldwin County Commission Regular meeting at 9:51 a.m.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

Chairman Underwood said the November 19, 2019, Baldwin County Commission Regular meeting is adjourned at 9:51 a.m.

