

Baldwin County Commission

Baldwin County Commission Regular
Meeting Minutes
Tuesday, August 20, 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 David Conner, County Attorney.

The Chairman called the meeting to order at 8:31 a.m. and introduced Reverend Richard Harvey, Pastor, Eastwood Baptist Church, Bay Minette, who appeared before the Commission, provided information about his church and led the Commission in prayer. After the Pledge of Allegiance led by Sheriff Huey Hoss Mack, the Commission transacted the following business to-wit:

ADOPTION OF MINUTES

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt the minutes of the August 6, 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 before the Commissioners in paper form is a replacement item for Consent Agenda Item BA4 - Baldwin County Library Board - Board Appointment.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to approve the consent agenda with the inclusion of Replacement Item BA4.

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 Annual Advertising Contract with Gulf Coast Newspapers for Fiscal Year 2019-2020 [19-1840](#)

Approve the Annual Advertising Contract between the Gulf Coast Newspapers and the Baldwin County Commission for display and legal advertising rates for all departments of the Baldwin County Commission as follows:

Legal Advertising Display Rates
Based on \$11.50 pci (per column inch) rate for all papers

Legal Advertising Per Word Rates
1 run: \$.32 per word
2 run: \$.64 per word
3 run: \$.96 per word
4 run: \$1.28 per word
5 run: \$1.60 per word
6 run: \$1.92 per word

The Contract will be effective and commence September 3, 2019, for a term of one-year, expiring September 3, 2020.

BA2 Appropriation of Funds to Eye Heart World, Inc. for the Rose Center in Mobile, Alabama [19-1857](#)

Approve an Agreement between the Baldwin County Commission and Eye Heart World, Inc. to allocate funds in the amount of \$2,000.00 to Eye Heart World, Inc. to be used to

support the Rose Center in Mobile, Alabama, a drop-in center for young women who are severely at risk for human trafficking or who are being exploited, said funding to be used for program services such as transportation, job interviews, case management, therapy and counseling.

BA3 Baldwin County Board of Human Resources - Board Appointment

[19-1841](#)

Related to the Baldwin County Board of Human Resources, Board of Directors, take the following actions:

- 1) Re-Appoint Ms. Cindy Haber as a member for a six (6) year term, said term to commence September 1, 2019, and expire September 1, 2025; and
- 2) Re-Appoint Ms. Virginia F. (Ginger) Chaudron as a member for a six (6) year term, said term to commence September 1, 2019, and expire September 1, 2025; and
- 3) Re-Appoint Ms. Christi Zarr King as a member for a six (6) year term, said term to commence September 1, 2019, and expire September 1, 2025.

BA4 *Baldwin County Library Board - Board Appointment

[19-1863](#)

Related to the Baldwin County Library Board (Baldwin County Library Cooperative, Inc.), take the following actions:

- 1) Appoint Dr. Theresa Harden as a member of the board to fill the place-seat formerly held by Mr. Joe Coleman for a pro-rata reduced four (4) year term, said term to commence on August 20, 2019, and expire on October 1, 2022.
- 2) Thank Mr. Joe Coleman for his prior civic service as a regular member of the board.

BA5 Donation of Surplus Vehicle from the Baldwin County Commission Administration Department to the Baldwin County District Attorney's Office

[19-1839](#)

Take the following actions:

- 1) Approve the donation at no cost of one (1) 2010 Mercury Mariner (VIN #4M2CN8BG9AKJ26834 - Asset Number 0008175) from Baldwin County Commission Administration Department (51125) to the Baldwin County District Attorney's Office; and
- 2) Authorize the Chairman to execute the Fixed Asset Change Form.

BA6 Memorandum of Understanding between Mobile Infirmary Association, Inc. d/b/a Mobile Infirmary Medical Center and Baldwin County Commission for the 340B Drug Pricing Program

[19-1862](#)

Approve the Memorandum of Understanding between Mobile Infirmary Association, Inc. d/b/a Mobile Infirmary Medical Center and Baldwin County Commission for the 340B Drug Pricing Program.

The Memorandum of Understanding (MOU) will be effective August 20, 2019, and shall continue until terminated by either party upon not less than sixty (60) days prior written notice to the other.

BD BUDGET/PURCHASING

BD1 Competitive Bid #WG19-48 - Purchase of One (1) New Police Interceptor Utility K8A Vehicle for the Baldwin County Sheriff's Department [19-1822](#)

Award Bid #WG19-48 to the lowest bidder, Moyer Ford Sales, Inc., for the purchase of one (1) new Police Interceptor Utility K8A Vehicle for the Baldwin County Sheriff's Office as follows:

Make/Model: 2020 Ford Police Interceptor Utility
Amount Bid: \$32,650.00
Delivery Time: 160-180 day

BD2 Competitive Bid #WG19-52 - Provision of Onsite Document Scanning/Digital Image and Indexing Conversion Services for the Baldwin County Judge of Probate [19-1823](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the Provision of Onsite Document Scanning/Digital Image and Indexing Conversion Services for the Baldwin County Judge of Probate; and
- 2) Further, authorize the Chairman/ Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addenda or clarifications if required after the bid is advertised.

BD3 Copy Machine Rental for the Baldwin County Sheriff Offices Located in Foley, Fairhope, and Robertsdale, Alabama [19-1825](#)

Approve and authorize the Chairman to execute the rental agreements with Sharp Electronics Corporation for the rental of three (3) new copy machines off the State of Alabama bid for thirty-six (36) months effective the date of execution as follows:

Location: Foley Sheriff's Office - Foley
Model: MX-M6570
Price: \$217.64/month
Excess Charge/copy: \$0.0041/BW

Location: Fairhope Sheriff's Office - Fairhope
Model: MX-M6570
Price: \$213.53/month
Excess Charge/copy: \$0.0041/BW

Location: Robertsdale Sheriff Office, Narcotics Division - Robertsdale
Model: MX-M6570
Price: \$217.64/month
Excess Charge/copy: \$0.0041/BW

BD4 Rental of One (1) Copy Machine for the Building Inspection Department
Located in Bay Minette, Alabama

[19-1829](#)

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

Baldwin County Building Inspection Department - Bay Minette
Model: Sharp MX-6071
Price: \$217.00
Excess Charge/copy: B/W \$0.0054/copy Color \$0.0400/copy

BD5 Pre-qualification of Contractors for the Interior Build-out of the Second
Floor of the Baldwin County Satellite Courthouse Located in Fairhope,
Alabama

[19-1827](#)

Take the following actions:

1) Approve the following seven (7) pre-qualification applications on the Interior Build-out of the Second Floor of the Baldwin County Satellite Courthouse project: Witherington Construction; Stuart Construction, LLC; FITZgerald Construction, LLC; Rolin Construction, Inc.; BayShore Construction Co., Inc.; E-J Builders, Inc.; and Thrash Commercial Contractors, Inc.

2) Reject the applications of Thomas Industries, d/b/a Thomas Construction and Highland Wake Construction, LLC, as non-qualified.

BD6 Purchase and Installation of Two (2) New Compressors on the HVAC
Chiller at the Baldwin County Corrections Center Located in Bay Minette,
Alabama

[19-1828](#)

Approve and authorize the Chairman to execute the agreement with Trane U. S. Inc., d/b/a Trane, in the amount \$25,993.00 for the purchase and installation of two (2) new Compressors on the HVAC Chiller at the Baldwin County Corrections Center located in

Bay Minette, Alabama, off the U. S. Communities Joint Purchasing Contract. (Contract effective upon full execution for 30 days).

Funding for this project will come from Fund Balance.

BD7 Adoption of New Baldwin County Commission Policy #8.22 - Financial Management Policy [19-1824](#)

Adopt the following new Baldwin County Commission Policy under the Finance and Accounting Department - Baldwin County Commission Policy #8.22 Financial Management.

BD8 Fiscal Year 2018-2019 Budget Amendment - Communications and Information Systems (CIS), Juvenile Detention Center (JDC), Coroner, Parks and Board of Registrars (BOR) [19-1858](#)

Adopt Resolution #2019-141 amending the Fiscal Year 2018 - 2019 Budget (Resolution #2018-118, adopted September 18, 2018) to authorize the movement of funds related to the following Departments: Communications and Information Systems (CIS), Juvenile Detention Center (JDC), Coroner, Parks and Board of Registrars (BOR).

BI ELECTED OFFICIALS

BI1 Edward Byrne Memorial Justice Assistance Grant (JAG) Fiscal Year 2019 Local Program Application [19-1821](#)

Take the following actions:

- 1) Authorize staff to submit the Fiscal Year 2019 Edward Byrne Memorial Justice Assistance Grant (JAG- local solicitation) application on behalf of the Baldwin County Sheriff's Office requesting \$10,395.00 in federal funds. No match is required.
- 2) Authorize the Chairman to execute the application and any documents related to this grant.

BJ EMERGENCY MANAGEMENT AGENCY (EMA)

BJ1 Creation of a 2019-2020 Internship Program for the Baldwin County Emergency Management Agency [19-1864](#)

Approve the creation of a 2019-2020 Internship Program for the Baldwin County Emergency Management Agency (EMA) Department.

BK ENVIRONMENTAL MANAGEMENT

BK1 Baldwin County Solid Waste Uncollectible Residential Accounts [19-1832](#)

Approve the uncollectible residential garbage accounts list for write-offs in the amount of \$2,315.10.

BL FINANCE AND ACCOUNTING

BL1 Banking Services - Deposit Accounts

[19-1830](#)

Take the following actions:

Authorize the Interim Clerk Treasurer to open three (3) new deposit accounts; two (2) for Solid Waste and one (1) for Baldwin County Animal Shelter with United Bank located in Baldwin County with the following terms:

- 1) No service charges on accounts with a minimum daily balance of at least \$10,000.00 per account. Each account must maintain the balance requirement in order to not be assessed fees; and
- 2) Accounts will earn 0.20% interest, accrued daily and posted monthly. (Interest rate is subject to change.); and
- 3) Baldwin County Commission will be responsible for any cost related to deposit tickets, checks, nightly depository bags, endorsement stamps, etc.

BM HIGHWAY

BM1 2019-2020 Agreement for Transportation Services between Baldwin County Commission and AltaPointe Health Systems, Inc.

[19-1846](#)

Take the following actions:

- 1) Adopt Resolution #2019-130 and approve an Agreement between the Baldwin County Commission and AltaPointe Health Systems, Inc. for the Baldwin Regional Area Transit System (BRATS) to provide four (4) transit buses Monday through Friday to all Baldwin County locations of the AltaPointe Health Systems, Inc. at the cost of \$1,470.88 per bus for a total of \$5,883.50 per month to be paid by the AltaPointe Health Systems, Inc. (The term of this agreement shall commence on October 1, 2019, and expire September 30, 2020, and is contingent on Alabama Department of Transportation approval.); and
- 2) Authorize the execution of any documents related to this agreement.

BM2 2019-2020 Agreement for Transportation Services between Baldwin County Commission and ARC Baldwin County, Inc.

[19-1847](#)

Take the following actions:

- 1) Adopt Resolution #2019-129 and approve an Agreement between the Baldwin County

Commission and ARC Baldwin County, Inc. for the Baldwin Regional Area Transit System (BRATS) to provide intermittent transportation services, as needed, and based on BRATS available resources, at the rate of \$70.00 per day to be paid by ARC Baldwin County, Inc. (The term of this agreement shall commence on October 1, 2019, and expire September 30, 2020, and is contingent on Alabama Department of Transportation approval.); and

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

BM3 2019-2020 Agreement for Transportation Services between Baldwin County Commission and Baldwin County Commission Council on Aging

[19-1845](#)

Take the following actions:

1) Adopt Resolution #2019-131 and approve an Agreement between the Baldwin County Commission and Baldwin County Council on Aging for the Baldwin Regional Area Transit System (BRATS) to provide transit services to the seniors of Baldwin County Monday through Friday at the cost of \$4,426.75 per month to be paid by the Baldwin County Commission Council on Aging. (The term of this agreement shall commence on October 1, 2019, and expire September 30, 2020, and is contingent on Alabama Department of Transportation approval.); and

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

BM4 2019-2020 Agreement for Transportation Services between Baldwin County Commission and Coastal Alabama Community College

[19-1848](#)

Take the following actions:

1) Adopt Resolution #2019-132 and approve an Agreement between the Baldwin County Commission and Coastal Alabama Community College for the Baldwin Regional Area Transit System (BRATS) to provide transportation services to all the Coastal Alabama Community College locations in Baldwin County on Monday through Friday at the cost of \$1,350.00 per month to be paid by the Coastal Alabama Community College. (The term of this agreement shall commence on October 1, 2019, and expire September 30, 2020.); and

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

BM5 Alabama Department of Environmental Management (ADEM) Stormwater Inspection Forms

[19-1820](#)

Approve making the Alabama Department of Environmental Management (ADEM) forms listed below part of the record:

County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2019-06-10
County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2019-06-17
County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2019-06-19
County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2019-06-29
County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2019-07-03
County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2019-07-10
County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2019-07-15
County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2019-07-24
County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2019-07-31

County Rd 26 from County Rd 95 to Breman Rd - Permit No. ALR10BEL1 - 2019-03-15
County Rd 26 from County Rd 95 to Breman Rd - Permit No. ALR10BEL1 - 2019-06-06
County Rd 26 from County Rd 95 to Breman Rd - Permit No. ALR10BEL1 - 2019-06-07
County Rd 26 from County Rd 95 to Breman Rd - Permit No. ALR10BEL1 - 2019-06-19
County Rd 26 from County Rd 95 to Breman Rd - Permit No. ALR10BEL1 - 2019-07-01
County Rd 26 from County Rd 95 to Breman Rd - Permit No. ALR10BEL1 - 2019-07-15
County Rd 26 from County Rd 95 to Breman Rd - Permit No. ALR10BEL1 - 2019-07-24
County Rd 26 from County Rd 95 to Breman Rd - Permit No. ALR10BEL1 - 2019-08-05

Old Brady Road Pit - Permit No. ALR6850034 - 2019-06-06
Old Brady Road Pit - Permit No. ALR6850034 - 2019-06-07
Old Brady Road Pit - Permit No. ALR6850034 - 2019-06-10
Old Brady Road Pit - Permit No. ALR6850034 - 2019-06-19
Old Brady Road Pit - Permit No. ALR6850034 - 2019-06-28
Old Brady Road Pit - Permit No. ALR6850034 - 2019-07-01
Old Brady Road Pit - Permit No. ALR6850034 - 2019-07-15
Old Brady Road Pit - Permit No. ALR6850034 - 2019-07-22

Poser Road from Charolais Rd to Brewer Road - Permit No. ALR10BEL0 - 2019-06-06
Poser Road from Charolais Rd to Brewer Road - Permit No. ALR10BEL0 - 2019-06-07
Poser Road from Charolais Rd to Brewer Road - Permit No. ALR10BEL0 - 2019-06-19
Poser Road from Charolais Rd to Brewer Road - Permit No. ALR10BEL0 - 2019-07-01
Poser Road from Charolais Rd to Brewer Road - Permit No. ALR10BEL0 - 2019-07-15
Poser Road from Charolais Rd to Brewer Road - Permit No. ALR10BEL0 - 2019-07-24
Poser Road from Charolais Rd to Brewer Road - Permit No. ALR10BEL0 - 2019-08-05

Bridge Replacement on Hoyle Bryars Rd over Bushy Creek W - Permit No. ALR10BE20
- 2019-05-24
Bridge Replacement on Hoyle Bryars Rd over Bushy Creek W - Permit No. ALR10BE20
- 2019-05-31
Bridge Replacement on Hoyle Bryars Rd over Bushy Creek W - Permit No. ALR10BE20
- 2019-06-07
Bridge Replacement on Hoyle Bryars Rd over Bushy Creek W - Permit No. ALR10BE20
- 2019-06-14
Bridge Replacement on Hoyle Bryars Rd over Bushy Creek W - Permit No. ALR10BE20

- 2019-06-28

Bridge Replacement on Hoyle Bryars Rd over Bushy Creek W - Permit No. ALR10BE20

- 2019-07-03

Bridge Replacement on Hoyle Bryars Rd over Bushy Creek W - Permit No. ALR10BE20

- 2019-07-12

Bridge Replacement on Hoyle Bryars Rd over Bushy Creek W - Permit No. ALR10BE20

- 2019-07-19

CR1 - Sidewalk Project TAPNU-TA17(934) - Permit No. ALR10BEL1 - 2019-05-30

CR1 - Sidewalk Project TAPNU-TA17(934) - Permit No. ALR10BEL1 - 2019-06-10

CR1 - Sidewalk Project TAPNU-TA17(934) - Permit No. ALR10BEL1 - 2019-06-19

CR1 - Sidewalk Project TAPNU-TA17(934) - Permit No. ALR10BEL1 - 2019-07-01

CR1 - Sidewalk Project TAPNU-TA17(934) - Permit No. ALR10BEL1 - 2019-07-15

CR1 - Sidewalk Project TAPNU-TA17(934) - Permit No. ALR10BEL1 - 2019-07-24

BM6 Alabama Transportation Rehabilitation and Improvement Program II (ATRIP-II)

[19-1805](#)

Take the following actions:

- 1) Approve Resolution #2019-137 in support of submitting an application for the Alabama Transportation Rehabilitation and Improvement Program II (ATRIP-II); and
- 2) Approve the Chairman to execute any project related documents except for any project funding agreements that will be brought back before the Commission for approval.

BM7 Americans with Disabilities Act (ADA) Sidewalk Curb Ramp Compliance Phase 2 Project - Permission to Advertise

[19-1836](#)

Take the following actions:

- 1) Authorize the Purchasing Manager to advertise a competitive bid for the Americans with Disabilities Act (ADA) Sidewalk Curb Ramp Compliance Phase 2 Project; and
- 2) Authorize the Chairman to execute any project related documents.

BM8 Baldwin Regional Area Transit System (BRATS) - First Amendment to Professional Services Contract with McNutt & Company, LLC, for Management of BRATS Advertising Program

[19-1842](#)

Take the following actions:

- 1) Approve the First Amendment to the Contract for Professional Services for Management of an Advertising Program on Baldwin Regional Area Transit System

(BRATS) Buses between McNutt & Company, LLC, and the Baldwin County Commission to allow BRATS to manage the interior advertising space on its buses; and

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

BM9 Bridge Replacement on County Road 9 over Barner Branch - Bid Award and Warrant Payable

[19-1834](#)

Take the following actions:

1) Authorize the Chairman to send a letter to the Alabama Department of Transportation (ALDOT) in concurrence of awarding the contract for the bridge replacement on County Road 9 over Barner Branch to Newell & Bush, Inc.; and

2) Authorize the Clerk/Treasurer to process an interim check issued to ALDOT for County funds due in the amount of \$259,084.09.

BM10 Intergovernmental Service Agreement with the Town of Elberta for Replacement of Culvert Pipes on Main Street between U.S. Highway 98 and Pine Street in Elberta Town Limits

[19-1852](#)

Approve an Intergovernmental Service Agreement between the Baldwin County Commission and the Town of Elberta for Area 300 Maintenance Crews to replace culvert pipes on Main Street between U.S. Highway 98 and Pine Street inside the corporate limits of the Town of Elberta. (The terms of this agreement shall be twenty-four months from the date of full execution of both parties and may be terminated, with or without cause, upon written notice to the other party.)

BM11 Old Mobile Road - Revised Agreement for Detour Road Use and Resurfacing

[19-1854](#)

Take the following actions:

1) Rescind the action taken by the Baldwin County Commission, during its regularly scheduled meeting on July 16, 2019, more specifically, Agenda Item BM6, which approved as follows:

“AUTHORIZE THE CHAIRMAN TO EXECUTE AN AGREEMENT BETWEEN H. O. WEAVER AND SONS, INC. AND BALDWIN COUNTY FOR THE FOLLOWING:

1) USE OF OLD MOBILE ROAD AS A “LOCAL TRAFFIC ONLY” DETOUR DURING THE INSTALLATION OF A NEW DRAINAGE PIPE UNDER US HIGHWAY 31; AND

2) THE RESURFACING OF OLD MOBILE ROAD UPON COMPLETION OF THE PROJECT.”

2) Authorize the Chairman to execute the revised agreement between H. O. Weaver and Sons, Inc. and Baldwin County for the following:

- a) Use of Old Mobile Road as a “Local Traffic Only” detour during the installation of a new drainage pipe under US Highway 31; and
- b) The resurfacing of Old Mobile Road upon completion of the project.

BM12 Park Improvements at Morgantown Water Access - Boardwalk Extension

[19-1835](#)

Approve the following actions:

- 1) Accept the Grant Award of \$15,875.00 from the U.S. Fish and Wildlife Service to assist in the funding of a boardwalk extension project at Morgantown Public Park in Fort Morgan; and
- 2) Authorize the Chairman to sign any project related documents that may be required.

BM13 Rebuild Alabama - Baldwin County Fiscal Year 2020 County Transportation Plan

[19-1817](#)

Take the following actions:

- 1) Adopt the Rebuild Alabama - Baldwin County Fiscal Year 2020 County Transportation Plan which includes the following projects:

County Road 9 - Widen and Resurface from U.S. Highway 98 to County Road 48
County Road 55 - Resurface from U.S. Highway 98 to County Road 32
Grantham Road - Resurface from County Road 26 to U.S. Highway 98

- 2) Approve the display of the County Transportation Plan in conspicuous places at the Baldwin County Courthouses, Baldwin County Commissioner offices, Baldwin County Highway Department, Baldwin County website and other places deemed appropriate by the Baldwin County Commission.

BM14 Road Acceptance for S-16053b - The Verandas, Phase 4

[19-1838](#)

Take the following actions regarding Subdivision Case No. S-16053b - The Verandas, Phase 4 in Maintenance Area 200:

- 1) Accept the following subdivision roads for maintenance and authorize said roads to be added to the County Maintenance Road List:

Road Name: Catania Avenue

Length: 999.16 ft.
Asphalt Width: 18

Road Name: Turin Avenue
Length: 707.00 ft.
Asphalt Width: 18

Road Name: Atrium Avenue
Length: 791.58 ft.
Asphalt Width: 18

2) Approve and authorize the Chairman to execute the Subdivision Roadway and Drainage Improvement Acceptance Agreement and accept the Surety Document from Fidelity and Deposit Company of Maryland on behalf of Ammons & Blackmon Construction, LLC in the amount of \$153,409.86 to guarantee the workmanship and materials of the roadways and drainage improvements with the public rights-of-way as shown on the approved Final and "As-Built" construction plans.

BM15 Road Construction and Repaving Agreement for Shambo Road

[19-1851](#)

Approve and authorize the Chairman to execute the Road Construction and Repaving Agreement between Baldwin County, Mullins, LLC and Breland Homes Coastal, LLC for the repaving of Shambo Road. (This agreement shall become effective upon the date of full execution by both parties. The County may terminate this Agreement, with or without cause, upon written notice to the Developer. Termination shall be deemed effective seven (7) days after the date such notice is mailed by certified mail to the Developer.)

BM16 Speed Limit on County Road 32

[19-1837](#)

Take the following actions:

- 1) Lower the speed limit on County Road 32 from County Road 95 East for a distance of 0.50 Miles from 55 MPH to 45 MPH; and
- 2) Raise the speed limit on County Road 32 from 0.50 miles East of County Road 95 to CC Road from 35 MPH to 45 MPH.

BN **JUVENILE DETENTION**

BN1 Memorandum of Agreement between the Baldwin County Commission and the Baldwin County Board of Education Concerning the Allocation of the Education Trust Fund Monies

[19-1843](#)

Take the following actions:

- 1) Approve the Memorandum of Agreement between the Baldwin County Commission

and the Baldwin County Board of Education for the allocation of the Education Trust Fund to be used to provide educational services to the Baldwin County Juvenile Detention Center. The term of this agreement will be October 1, 2019, through September 30, 2020, and is automatically renewed upon mutual agreement of each party; and

2) Authorize the Commission Chairman to sign the agreement and any related documents.

BN2 Memorandum of Understanding between the Baldwin County Commission and the Baldwin County Board of Education for the Provision of Food Services at the Baldwin County Regional Juvenile Detention Center [19-1853](#)

Approve a Memorandum of Understanding between the Baldwin County Commission and the Baldwin County Board of Education for the provision of food services at the Baldwin County Regional Juvenile Detention Center effective September 12, 2019, and terminating September 12, 2020. The following meals will be provided five days a week by the Baldwin County High School kitchen at the rates listed, with the exception of weekends, holidays and school closures:

Breakfast \$2.25

Lunch \$4.00

Dinner \$4.00

BN3 Memorandum of Understanding between the Baldwin County Commission and the Baldwin County Sheriff's Office for the Provision of Food Services at the Baldwin County Regional Juvenile Detention Center [19-1850](#)

Authorize the Chairman to execute a Memorandum of Understanding between the Baldwin County Commission and the Baldwin County Sheriff's Office regarding the provision of food services at the Baldwin County Regional Juvenile Detention Center.

The Memorandum of Understanding shall take effect on the date of its full execution and shall expire in twelve (12) months at which time it shall terminate; however, it may be renewed by mutual agreement between the Baldwin County Commission and the Baldwin County Sheriff's Office. Notwithstanding the aforementioned, the Baldwin County Commission or the Baldwin County Sheriff's Office may terminate the Memorandum of Understanding by written notification to the other at any time thereafter for any purpose.

BO PERSONNEL

BO1 Archives Department - Employment of Two (2) Part-Time Office Assistant III Positions [19-1810](#)

Take the following actions:

- 1) Approve the employment of Dorothy Grace to fill the open part-time Office Assistant III position (PID #PT39) at a grade E-EL (\$10.781 per hour); and
- 2) Approve the employment of Haileigh Linton to fill the open part-time Office Assistant III position (PID #PT38) at a grade E-EL (\$10.781 per hour).

These actions will be effective no sooner than August 26, 2019.

BO2 Commission Administration - Position Change

[19-1855](#)

Take the following actions:

- 1) Approve the reclassification and re-title of the Public Information Coordinator, grade EC-07, to the Community Engagement Manager/Public Information Officer, grade EC-08; and
- 2) Approve the updated position description for the Community Engagement Manager/Public Information Officer.

BO3 Highway Department (Parks) - Employment of One (1) Landscape Technician I Position

[19-1813](#)

Approve the employment of David Bradford to fill the open Landscape Technician I position (PID #4042) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) to be effective no sooner than August 26, 2019.

BO4 Highway Department (Subdivision) - Approval of Position Description for Construction Development Manager

[19-1812](#)

Approve the updated position description for Construction Development Manager.

BO5 Juvenile Detention Center - Employment of One (1) Detention Technician Position

[19-1811](#)

Approve the employment of Robert Dubose to fill the open Detention Technician position (PID #5341) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) to be effective no sooner than August 26, 2019.

BO6 Personnel Department - Blue Cross Blue Shield Enrollment Agreement for 2020

[19-1816](#)

Approve and authorize the Chairman to execute the attached Enrollment Agreement with

Blue Cross Blue Shield of Alabama to be effective January 1, 2020.

BO7 Planning and Zoning Department - Promotion of Employee

[19-1808](#)

Approve the promotion of Brenda Brock from the Office Assistant III position (PID #620) grade E-01 (\$11.055 per hour/\$22,994.40 annually) at the Board of Registrars (51920), to fill the open Administrative Support Specialist I position (PID #2069) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) in the Planning and Zoning Department, to be effective no sooner than September 2, 2019.

BO8 Solid Waste Department (Eastfork Landfill) - Personnel Changes

[19-1807](#)

Take the following actions:

1) Approve the employment of Rachel Philyaw to fill the open Scale Attendant position (PID #5453) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) to be effective no sooner than August 26, 2019; and

2) Approve the promotion of Michael Sullivan from the Landfill Equipment Operator III position (PID #580) grade I-02 (\$16.421 per hour/\$34,155.68 annually) at the McBride Landfill (54330), to fill the open Landfill Equipment Operator IV position (PID #5451) at a grade J-01 (\$17.602 per hour/\$36,612.16 annually) at the Eastfork Landfill (54331), to be effective no sooner than September 2, 2019.

BP **PLANNING AND ZONING**

BP1 Baldwin County Planning and Zoning Commission - Board Appointment

[19-1860](#)

As relates to the Baldwin County Planning and Zoning Commission, take the following actions:

1) Appoint Mr. Robert Davis as a regular member (BCC District 3 Nominee) to the place seat and expired term formerly held by Mr. Marvin Dewane Hayes, for a pro-rata reduced four (4) year term, said term to commence on August 20, 2019, and expire on June 30, 2023.

2) Approve sending a letter to Mr. Marvin Dewane Hayes, thanking him for his prior civic service as a member of the board.

C **PRESENTATIONS**

D **PUBLIC HEARINGS**

DP **PLANNING AND ZONING**

DP1 Case Z-19028 - Silcox Property Rezoning Request

[19-1844](#)

Celena Boykin, Planner, appeared before the Commission and provided the staff report on the subject property.

Commissioner Underwood said she has a question regarding the traffic study that was mentioned in the letter from the Baldwin County Highway Department.

Ms. Boykin said when staff sent comments out to the different departments, they did receive a comment back from the Highway Department's staff that suggested a traffic study may have to be done for this area. The Highway Department will review this when the applicant applies for the commercial turnout permit.

Commissioner Underwood said she noted the comments from the Baldwin County Planning and Zoning Commission and did not want this to be a factor in the limited access.

Ms. Boykin said there is limited access on the Beach Express. The residents will have to use Oakdale Drive to enter and exit the property of the store if it is approved.

Chairman Gruber opened the public hearing at 8:38 a.m. and asked if there is anyone present who wishes to speak.

Ms. Melissa Ballard appeared before the Commission and said she is representing the Broadway Group from Huntsville. She brought packets from the work session with her, in case the Commissioners need another one. Ms. Ballard said they are requesting 1.45 acres to be rezoned to B-3 designation. The Highway Department gave a comment for the traffic study and that will be ordered once the property is approved and rezoned. It is a 9,100 square foot retail store they are looking to development at this location. Ms. Ballard said she has a copy of the property plat that shows the surrounding property that is owned by the Silcox family. The Planning and Zoning Commission's comments showed the pattern for rezoning has been established on the west side of the Beach Express and there is one parcel south of the subject property. Staff noted one reason for the denial to the Planning and Zoning Commission was that there was already property rezoned across the Express. Her tenant wanted to be located on the east side of the Express, this is why they looked at this piece of property. If the rezoning request is approved, the applicant will not wait to develop the property. There is a deadline to maintain. Ms. Ballard said the business will bring jobs, property and sales taxes and sales revenue to the table. Ms. Ballard asked if the Commissioners have any questions.

Commissioner Underwood said Ms. Ballard answered her question about the traffic study.

Wayne Dyess, County Administrator, said everyone understands this will be a

Dollar General Store. This company has built nice stores in Baldwin County. Staff highly encourages the company to build a store similar to what is in Bay Minette. It has a nice appearance. Mr. Dyess said the Beach Express has a lot of tourists along that particular road. From the planning perspective, staff highly encourages this to be considered.

Ms. Ballard said they will be glad to consider it.

Commissioner Ball asked if there is a plan on how the store will look?

Ms. Ballard said not yet. It will be the standard store. They have not submitted plans for comments yet. It will go through the building permit process and site plan approval.

Mr. Leonard Lawley appeared before the Commission and said he and his wife own the land. The Dollar General Store will be on Oakdale Drive, off the Beach Express. All of the neighbors in this area are for this project.

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

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to adopt Resolution #2019-124 which approves Case #Z-19028, Silcox Property, as it pertains to the rezoning of approximately 1.45 acres, located in Planning (Zoning) District 12, from RSF-E, Residential Single-Family Estate 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

DP2 Case Z-19029 - Middleton Property Rezoning Request

[19-1859](#)

Vince Jackson, Planning Director, appeared before the Commission and provided background information on the subject property.

Chairman Gruber opened the public hearing at 8:47 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Gruber closed the public hearing at 8:48 a.m.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Joe Davis, III,

to adopt Resolution #2019-125, which approves Case #Z-19029, Middleton Property, as it pertains to the rezoning of approximately 6.25 acres, located in Planning (Zoning) District 12, from RSF-E, Residential Single-Family Estate District, to B-4, Major Commercial 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

E COMMITTEE REPORTS

EA FINANCE/ADMINISTRATION DIVISION

EA1 Payment of Bills

[19-1791](#)

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to pay bills totaling \$2,971,492.60 (two million, nine hundred seventy-one thousand, four hundred ninety-two dollars and sixty cents) with the exception of Vendors 112 and 263, which are listed in the Baldwin County Accounts Payable Payments - August 20, 2019, for a revised total of \$2,969,130.99.

Of this amount, \$329,521.35 (three hundred twenty-nine thousand, five hundred twenty-one dollars and thirty-five 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 BillieJo Underwood, seconded by Commissioner James E. Ball, to pay Vendor 112 in the amount of \$561.61.

Vendor 112: Davis, Joseph Lee III - \$561.61

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

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to pay Vendor 263 in the amount of \$1,800.00.

Vendor 263: Price Masonry, LLC - \$1,800.00

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

EA2 Notification of Interim Payments Approved by Clerk/Treasurer as Allowed Under Policy 8.1 [19-1792](#)

Wayne Dyess, County Administrator, informed the Commission that the Baldwin County Commission Interim Payments - August 20, 2019, made by the Clerk/Treasurer totaling \$2,334,406.74 (two million, three hundred thirty-four thousand, four hundred six dollars and seventy-four cents) are a part of the record.

EB ROAD AND BRIDGE DIVISION

F ELECTED OFFICIAL REQUESTS

G OTHER STAFF RECOMMENDATIONS

GM HIGHWAY

GM1 Signage at the Mega-site Entrance in North Baldwin County [19-1867](#)

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Joe Davis, III, to approve the construction of a sign at the Mega-site entrance in North Baldwin County.

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

IA GENERAL

H COMMISSIONER REQUESTS

HA1 Resolution #2019-139 - Related to the Proposed I-10 Mobile River Bridge and Bayway Project

19-4511

Commissioner Underwood said she wishes to bring forward an amended version of the Resolution passed a couple of weeks ago to change a couple of words in the Resolution related to the Proposed I-10 Mobile River Bridge and Bayway Project. The only change will be in Section 2 that states "The County Commission hereby requests that ALDOT review, investigate and otherwise secure additional federal, state and grant funding opportunities to eliminate the proposed tolls for this Project." Commissioner Underwood said "to eliminate" replaces the previous wording of that sentence.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to adopt Resolution #2019-139 related to the Proposed I-10 Mobile River Bridge and Bayway Project.

The motion passed by the following vote:

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

I ADDENDA

IA1 Appropriation of Funds to North Baldwin Animal Shelter, Inc. in Bay Minette, Alabama

19-1875

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to approve an Agreement between the Baldwin County Commission and North Baldwin Animal Shelter, Inc. (NBAS) to allocate funds in the amount of \$15,000.00 to NBAS to be used for general purposes in order for the NBAS to provide shelter and adoption services so that stray, abandoned, owner-surrender, neglected, abused and injured animals throughout Baldwin County, Alabama, will have a better chance of survival and finding good homes.

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

J ADMINISTRATIVE REPORT

K COUNTY ATTORNEY'S REPORT

David Conner, County Attorney, said he has an executive session item the Commission will need to discuss. There is no action to take following the item. If the

Commissioners would like, they can move it to the end of the meeting.

L ANNOUNCEMENTS

M PUBLIC COMMENTS

N PRESS QUESTIONS

Mr. Guy Busby with Gulf Coast News Media, appeared before the Commission and asked what led to the change of wording in the resolution related to the Proposed I-10 Mobile River Bridge and Bayway Project? There was a request at the last meeting to say "eliminate." Was there anything that led the Commissioners to make a change?

Commissioner Underwood said she thought it was time.

O COMMISSIONER COMMENTS

Commissioner Davis said he wants to note that it is 8:57 a.m.

P ADJOURNMENT

David Conner, County Attorney, recommended the Commission enter into an executive session to discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein and to discuss the job performance of certain public employees, 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. Conner said it is anticipated the executive session will last approximately 20 minutes. There will be no need to come back and take any action after the executive session. He makes the oral declaration the discussion is appropriate for an executive session and if the Commissioners desire, they can adjourn the meeting from the executive session.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adjourn the meeting into an executive session at 8:59 a.m. for approximately 20 minutes to discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein and to discuss the job performance of certain public employees, 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

Chairman Gruber said the Commission will adjourn the August 20, 2019, meeting into an executive session at 8:59 a.m. for approximately 20 minutes.

A handwritten signature in black ink, appearing to read "Chris Gruber". The signature is fluid and cursive, with a large initial "C" and a distinct "G".