

Baldwin County Commission

Baldwin County Commission Regular
Meeting Minutes
Tuesday, February 2, 2021
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

WELCOME BY CHAIRMAN, 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. After the prayer led by Pastor Palmer Askew, Pastor of Church of the Highlands, Daphne, and the Pledge of Allegiance led by Commissioner James E. Ball, the Commission transacted the following business to-wit:

OATH OF OFFICE - TEDDY FAUST, JR.

21-0487

Judge Harry D'Olive, Baldwin County Judge of Probate, appeared before the Commission to administer the Oath of Office to Teddy Faust, Jr., as Revenue Commissioner.

After the Oath of Office, Revenue Commissioner Faust said he looks forward to serving and thanked the Commission for all that they do. Revenue Commissioner Faust said he appreciates the citizens and employees of Baldwin County.

ADOPTION OF MINUTES

January 19, 2021, Regular Meeting

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to adopt the minutes of the January 19, 2021, 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 ACTION ITEMS

BA ADMINISTRATION

Wayne Dyess, County Administrator, said there are two Items under Administration for the Commission's approval.

BA1 Ono Island Water, Sewer & Fire Protection Authority - Board Appointment(s)

[21-0428](#)

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Charles F. Gruber, to take the following actions related to the Ono Island Water, Sewer & Fire Protection Authority:

- 1) Appoint Mr. Randy Smith to the board, to fill the place seat (place seat #2) and unexpired term of Mr. Larry K. Chamblee, for a pro-rata reduced six (6) year term, said term to commence February 2, 2021, and expire on March 1, 2021; and
- 2) Appoint Mr. Randy Smith to the board (place seat #2) to continue serving for another six (6) year term, said term to commence on March 1, 2021, and expire on March 1, 2027; and
- 3) Re-appoint Kevin E. Sloan to the board (place seat #5) for a six (6) year term, said term to commence March 1, 2021, and expire on March 1, 2027.

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

BA2 *Tortugaman Tri Hearts Duathlon 2021

[21-0442](#)

Mr. William Smith, Vice-President of the Tortugaman Tri Hearts Club, appeared before the Commission to answer questions regarding the safety plan for the Tortugaman Tri Hearts Duathlon 2021 event.

The Commission and Mr. Smith discussed the safety plan as it relates to the COVID-19 pandemic.

The Commission and Brad Hicks, County Attorney, discussed drafting a legal waiver to indemnify the Baldwin County Commission from any responsibility

regarding the safety of the race participants and making the approval request contingent on the race coordinators signing and submitting the indemnification waiver to the Commission prior to the event.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to approve the request to use the facilities at Mullet Point Park and the requested routes for the Tortugaman Tri Hearts Duathlon on March 13, 2021, beginning at Mullet Point Park in Point Clear, Alabama at 7:00 a.m. and ending at approximately 11:00 a.m. at the same location, contingent upon the execution of an indemnification waiver by Tortugaman Tri Hearts Club, prior to the event taking place.

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

BC ARCHIVES AND HISTORY

Wayne Dyess, County Administrator, said there is one Item under Archives and History for the Commission's approval. Mr. Dyess said as per the discussion during the Work Session on February 1, 2021, the word "tentative" has been added to the recommendation due to the need to re-evaluate event dates based on the COVID-19 pandemic status in the future. If any changes need to be made, the agenda item will be brought back before the Commission for approval.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to approve Item BC1.

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

BC1 Archives and History Public Outreach Events for 2021

[21-0448](#)

Take the following actions:

1) Authorize the Baldwin County Department of Archives and History to partner with the Kiwanis Club of Bay Minette, Alabama to host an Easter Egg Hunt at the Baldwin County Bicentennial Park in Stockton to be held on Saturday, March 27, 2021; and

2) Authorize the Baldwin County Department of Archives to partner with the South

Alabama Antique Tractor and Engine Club to host Plow Days at the Baldwin County Bicentennial Park in Stockton to be held on Saturday, May 1, 2021; and

3) Approve the Baldwin County Department of Archives and History staff to host/promote on-site, off-site, and non-standard hours events to include the following:

Removal of the County Seat Re-enactment on Thursday, October 7, 2021 from 5:00 p.m. - 7:00 p.m.

Haunted Hayrides at the Baldwin County Bicentennial Park on Friday and Saturday, October 22 and October 23, 2021, from 5:00 p.m. - 9:00 p.m.

Olde Tyme Days at the Baldwin County Bicentennial Park on Saturday November 13, 2021, from 9:00 a.m. - 4:00 p.m.

Christmas at the Baldwin County Bicentennial Park on Friday and Saturday, December 17 and 18, 2021, from 5:00 p.m.- 9:00 p.m.

Dates have been tentatively approved and will be re-evaluated prior to each event based on the status of the COVID-19 pandemic.

After the vote, the Commission asked Felisha Anderson, Archives Director, to come forward to clarify if an indemnity waiver was necessary for the scheduled events. Ms. Anderson confirmed that these were Commission sponsored events with the Kiwanis Club serving on a volunteer basis.

BE BUDGET/PURCHASING

Wayne Dyess, County Administrator, said there are 14 Items under Budget/Purchasing for the Commission's approval.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to approve Items BE1 - BE14.

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

BE1 Competitive Bid #WG21-08A - Provision of Charter Transportation Services for the Baldwin County Commission

[21-0451](#)

Award Bid #WG21-08A for the provision of Charter Transportation Services to Covenant Elite Charters & Tours, 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.)

BE2 Competitive Bid #WG21-09 - Repair of One (1) 2020 Kenworth T-800 Dump Truck for the Baldwin County Commission [21-0407](#)

Award Bid #WG21-09 for the repair of one (1) Kenworth T-800 Dump Truck to Ward International Trucks, Inc. as follows:

Amount bid: \$58,581.93
Completion time: 30 days

BE3 Competitive Bid #WG21-10 - Provision of Motorgrader Blades for the Baldwin County Commission [21-0405](#)

Award Bid #WG21-10 for the provision of Motorgrader Blades to the lowest responsible bidder, who met all the specifications, Thompson Tractor Company, Inc., as per the attached Award Listing.

BE4 Competitive Bid #WG21-11 - Provision of Rental Equipment for the Baldwin County Commission [21-0431](#)

Award Bid #WG21-11 for the provision of Rental Equipment to the lowest bidder for each category of headings as per the Award Listing to Thompson Tractor Co., Inc.; Baldwin Rentals, Inc. dba Robertsdale Rent All; Pittman Tractor Company, Inc.; Kingline Equipment, Inc.; Hydra Service, Inc.; Coblenz Equipment & Parts Co., Inc.; Coastal Machinery Company, Inc.; and Big Truck Rental, LLC.

BE5 Competitive Bid #WG21-14 - Purchase and Installation of Chiller Controls at the Central Annex II Building for the Baldwin County Commission [21-0436](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the purchase and installation of chiller controls at the Central Annex II building for the Baldwin County Commission; 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 #WG21-15 - Repairs to the "Covered Area" Roof of the Existing Baldwin County Household Waste Collection Facility Located in Summerdale, Alabama for the Baldwin County Commission [21-0472](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the repairs to the "Covered Area" Roof of the existing Baldwin County Household Waste Collection Facility located in Summerdale, Alabama for the Baldwin County Commission; 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 Lease of Copy Machines for the Baldwin County Revenue Commission Offices Located at the Fairhope and Foley Satellite Courthouses and the Coroner's Office Located in Robertsdale

[21-0425](#)

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 on the date of full execution as follows:

Location: Revenue Commission Office - Fairhope Satellite Courthouse

Model: MX-M3551

Price: \$93.97

Excess Charge/copy: \$0.0055 BW

Location: Revenue Commission Office - Foley Satellite Courthouse

Model: MX-M3551

Price: \$95.78

Excess Charge/copy: \$0.0055 BW

Location: Baldwin County Coroner's Office

Model: MX-5071

Price: \$197.96

Excess Charge/copy: \$0.0054 BW, \$0.0400 Color

BE8 Lease of One (1) Copy Machine for the Baldwin County Legislative Delegation located at Baldwin County Legislative Delegation Office, Fairhope Satellite Courthouse, 2nd Floor

[21-0426](#)

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 on the date of full execution as follows:

Location: Baldwin County Legislative Delegation Office, Fairhope Satellite Courthouse, 2nd Floor

Model: MX-3071

Price: \$114.07 per month
Excess Charge/copy: \$0.0079 BW, \$0.0450 Color

BE9 Baldwin County Resurfacing Projects 2021: Group 3/BCR-2021-3 and Group #3RA- BCR-2021-3RA [21-0449](#)

Award the bid for Baldwin County Resurfacing Projects 2021: Group 3/BCR-2021-3 and Group #3RA- BCR-2021-3RA to the lowest bidder, John G. Walton Construction Co., Inc., in the bid amount of \$2,182,521.58 for Alternative 1 (all labor and materials); Construction Time: 30 working days for each group; and authorize the Chairman to execute the Contract.

BE10 Project No. STPLL-0219(254) BCP #0222319 - Addition of Paved Shoulders on County Road 99 from Carrier Drive to Spanish Cove Drive South for the Baldwin County Commission [21-0415](#)

Award the bid for Project No. STPLL-0219(254) BCP #0222319 - Addition of Paved Shoulders on County Road 99 from Carrier Drive to Spanish Cove Drive South to Ammons & Blackmon Construction, LLC, Bid Amount \$361,672.10; Construction Time: 60 working days; and authorize the Chairman to execute the Contract.

BE11 Request for Proposals (RFP) for Emergency Management Consulting and Contract Services for Response, Recovery, Mitigation, Preparedness, and Planning for the Baldwin County Commission [21-0422](#)

Take the following actions:

- 1) Approve the Contract for Professional Services with Hagerty Consulting, Inc., for the Baldwin County Emergency Management Consulting and Contract Services for Response, Recovery, Mitigation, Preparedness, and Planning with the price breakdown shown on "Exhibit B" of the Contract and is based on a time and materials cost with an initial cost not to exceed of \$1,500,000.00; and
- 2) Authorize the Chairman to execute the Contract. (Contract is effective for twelve (12) months from date of full execution with option to renew for two (2) additional twelve (12) month extensions.

BE12 Request for Proposals (RFP) for Health Insurance Brokers/Consultants Services for the Baldwin County Commission [21-0457](#)

Award the Request for Proposals (RFP) for Health Insurance Brokers/Consultants Services to Cobbs, Allen & Hall, Inc., with their commission to come from Life, Voluntary Life-, Short- and Long-Term Disability, Vision and Stop Loss insurance and authorize the Chairman to execute the Contract. (Contract effective February 2, 2021 through February 2, 2024).

BE13 Transfer of One (1) Vehicle from the Baldwin County Sheriff's Office to the Baldwin County Coroner's Office

[21-0424](#)

Approve the transfer of one (1) 2010 Ford F150 XLT Truck, VIN #1FTFW1E84AFD91777 from the Baldwin County Sheriff's Office to the Coroner's Office at no charge and authorize the Chairman to execute the Fixed Asset Change Form.

BE14 Quotes for the Construction of a New Deck at the Baldwin County East Fork Landfill Scale House Located in Elberta, Alabama for the Baldwin County Commission

[21-0445](#)

Award the lowest quote to E-J Builders, Inc., in the amount of \$19,200.00 for the construction of a new deck at the Baldwin County East Fork Landfill Scale House located in Elberta, Alabama and authorize the Chairman to execute the Public Works Contract and the Certificate of Compliance.

BH COMMUNICATIONS/INFORMATION SYSTEMS (CIS)

Wayne Dyess, County Administrator, said there are four Items under Communications/Information Systems for the Commission's approval.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to approve Items BH1 - BH4.

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

BH1 Alabama Department of Transportation Permit Agreement for the Accommodation of Utility Facilities on Public Right-of-Way on State Route 287 (Hand Avenue)

[21-0468](#)

Approve and authorize the Chairman to execute the Alabama Department of Transportation (ALDOT) Permit Agreement for the Accommodation of Utility Facilities on Public Right-of-Way on State Route 287 (Hand Avenue).

This permit is valid for the contract period which is defined as follows: All proposed work as described and submitted in the permit documents must be completed within one year from the approved date of the permit and for a period covering one year from ALDOT acceptance of proposed work.

BH2 Motorola Equipment Lease Purchase Agreement #24671 Change Order 001

[21-0467](#)

Authorize and approve the Chairman to execute Change Order 001 for Motorola Equipment Lease Purchase Agreement #24671 2-Site Add to Baldwin County Master Core ALA18P124A which descopes certain site development services and adds MPLS routers and installation services for interzone capability. The Change Order will have no effect to the existing lease equipment list and there will be a net charge of \$0 to the overall project.

BH3 North Baldwin Literacy Council - Termination of Interlocal Agreement for Computer Networking Services

[21-0416](#)

Approve the request from North Baldwin Literacy Council to terminate the Agreement between Baldwin County Commission and North Baldwin Literacy Council for internet services for Computer Networking Service and Support effective February 2, 2021.

BH4 Tyler Technologies - Amendment to License and Services Agreement

[21-0466](#)

Take the following actions related to the License and Services Agreement between Baldwin County Commission and Tyler Technologies; effective on June 11, 2019:

- 1) Approve and authorize the Chairman to sign all documents related to the Amendment to the License and Services Agreement which removes unused conversions in the amount of \$4,000.00; and
- 2) Approve and authorize the Chairman to sign all documents related to the sales quotation for Implementation Hours in the amount of \$3,500.00.

BK **EMERGENCY MANAGEMENT AGENCY (EMA)**

Wayne Dyess, County Administrator, said there is one Item under Emergency Management Agency for the Commission's approval and a presentation will be given by Ms. Dana Jepsen, Baldwin Together Chairperson.

BK1 Baldwin Together Mid-Year Report and Allocation of Funds to Community Action Agency of South Alabama

[21-0458](#)

Ms. Dana Jepsen, Baldwin Together Chairperson, appeared before the Commission and presented the Baldwin Together Mid-Year Report.

The Commissioners commented on the success of the program.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, based on the satisfactory completion of a mid-year report by Baldwin Together, and as authorized by the Agreement approved by the Baldwin County Commission on July 21, 2020, to take the following actions:

1) Authorize the allocation of \$25,000.00 to Community Action Agency of South Alabama, who serves as both the fiscal agent of Baldwin Together, and as the employer of the Case Manager(s), for COVID-19 Case Management; and,

2) Make the Mid-Year Report presented on Baldwin Together a part of the record.

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

BL ENVIRONMENTAL MANAGEMENT

Wayne Dyess, County Administrator, said there are three Items under Environmental Management. A presentation on Item BL3 will be given later in the meeting under Administrative Report.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to approve Items BL1 - BL3.

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

BL1 Baldwin County Solid Waste Uncollectible Residential Accounts [21-0470](#)

Approve the uncollectible residential garbage accounts list for write-offs in the amount of \$69.00.

BL2 License Agreement - Donald and Janice Hartman [21-0473](#)

Approve the License Agreement between the Baldwin County Commission and Donald R. Hartman and Janice G. Hartman allowing Mr. and Mrs. Hartman access to the southernmost thirty (30) feet of the property adjacent to MacBride Landfill approved for purchase on April 23, 2019, for the purpose of ingress and egress to a parcel owned by Mr. and Mrs. Hartman adjacent to the westernmost 1,300 ft., approximately, of the property's southern boundary. This Agreement is effective upon the date of full execution.

Approve and authorize the Chairman to execute the following documents:

1) Landfill Gas Rights Agreement between Baldwin County Commission and AEP Renewable Fuels, LLC, for the Baldwin County Solid Waste Landfill Gas-to-Energy project located at the Magnolia Sanitary Landfill; and

This Agreement shall commence on February 2, 2021, and is effective for fifteen (15) years from the Commercial Operations Date, with an option to extend for additional five (5) year period.

2) Letter of Effectiveness or Written Modification to the Landfill Gas Rights Agreement; and

3) Ground Lease Agreement between Baldwin County Commission and AEP Renewable Fuels, LLC, for the Baldwin County Solid Waste Landfill Gas-to-Energy project located at the Magnolia Sanitary Landfill. AEP Renewable Fuels, LLC, has agreed to lease from the Baldwin County Commission a certain one (1) acre parcel of land located at the Landfill for Lessee's commercial production, storage and loading of transportation fuels from landfill gas for sale to others; and

This Agreement shall commence on February 2, 2021, and is effective for fifteen (15) years from the date of execution, with an option to extend for additional five (5) year period.

4) Letter of Effectiveness or Written Modification to the Landfill Ground Lease Agreement.

BM FINANCE AND ACCOUNTING

Wayne Dyess, County Administrator, said there is one Item under Finance and Accounting for the Commission's approval.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to approve Item BM1.

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

Adopt Tax Resolution #2021-047 levying the annual millage rates for ad valorem property taxes for Baldwin County, Alabama.

Wayne Dyess, County Administrator, noted a typographical error in the Resolution has been corrected.

The Commission and Mr. Dyess discussed if more than one resolution was needed for the tax levy. Mr. Dyess said that this is typically how it has been handled in the past, but if there is an issue, the item would be brought back before the Commission at a later meeting.

BN HIGHWAY

Wayne Dyess, County Administrator, said there are thirteen Items under Highway for the Commission's approval. Mr. Dyess noted an incorrect project number in the title of Item BN13 has been corrected.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to approve Items BN1 - BN13.

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

BN1 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0212019 - Lipscomb Road (Tract 1) [21-0413](#)

Take the following actions:

- 1) Accept 0.103 acres on Lipscomb Road (Tract 1) as a right-of-way donated to Baldwin County by Joseph B. Mullek, Betty G. Mullek, Timothy J. Mullek and Michael J. Mullek on August 17, 2020 (Instrument No. 1851048 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

BN2 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0212019 - Lipscomb Road (Tract 2) [21-0414](#)

Take the following actions:

1) Accept 0.010 acres on Lipscomb Road (Tract 2) as a right-of-way donated to Baldwin County by Angela Lynn Lipscomb Thompson and Gregory Kyle Thompson on October 22, 2020 (Instrument No. 1866334 of Baldwin County Judge of Probate); and

2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

BN3 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0212019 - Lipscomb Road (Tract 3)

[21-0417](#)

Take the following actions:

1) Accept 0.251 acres on Lipscomb Road (Tract 3) as a right-of-way donated to Baldwin County by Geoffrey Scott Lipscomb and Teresa Ann Williams Lipscomb on August 21, 2020 (Instrument No. 1852714 of Baldwin County Judge of Probate); and

2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

BN4 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0212019 - Lipscomb Road (Tract 4)

[21-0418](#)

Take the following actions:

1) Accept 0.115 acres on Lipscomb Road (Tract 4) as a right-of-way donated to Baldwin County by Lanford L. Swaine and Ruth R. Swaine on August 14, 2020 (Instrument No. 1850979 of Baldwin County Judge of Probate); and

2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

BN5 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0212019 - Lipscomb Road (Tract 5)

[21-0419](#)

Take the following actions:

1) Accept 0.035 acres on Lipscomb Road (Tract 5) as a right-of-way donated to Baldwin County by Alan Dean Hall and Victoria A. Hall on November 23, 2020 (Instrument No. 1873128 of Baldwin County Judge of Probate); and

2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

BN6 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0212019 - Lipscomb Road (Tract 6)

[21-0421](#)

Take the following actions:

- 1) Accept 0.038 acres on Lipscomb Road (Tract 6) as a right-of-way donated to Baldwin County by Darryl Gibbons and Patricia Gibbons on October 16, 2020 (Instrument No. 1864800 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

BN7 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0212019 - Lipscomb Road (Tract 7)

[21-0423](#)

Take the following actions:

- 1) Accept 0.039 acres on Lipscomb Road (Tract 7) as a right-of-way donated to Baldwin County by Jan Dial and John Dial on August 14, 2020 (Instrument No. 1850980 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

BN8 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0212019 - Lipscomb Road (Tract 8)

[21-0430](#)

Take the following actions:

- 1) Accept 0.036 acres on Lipscomb Road (Tract 8) as a right-of-way donated to Baldwin County by Gordon Edward Witherington and Anita Marie Witherington on August 11, 2020 (Instrument No. 1881457 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

BN9 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0212019 - Lipscomb Road (Tract 9)

[21-0432](#)

Take the following actions:

- 1) Accept 0.306 acres on Lipscomb Road (Tract 9) as a right-of-way donated to Baldwin County by George Gerald Lipscomb and Janice Lipscomb on August 10, 2020 (Instrument No. 1849542 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

BN10 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0212019 - Lipscomb Road (Tract 10)

[21-0433](#)

Take the following actions:

- 1) Accept 0.082 acres on Lipscomb Road (Tract 10) as a right-of-way donated to Baldwin County by BJ's Residential Properties, LLC, on August 18, 2020 (Instrument No. 1851628 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

BN11 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0203816 - Pate Road (Tract 4)

[21-0439](#)

Take the following actions:

- 1) Accept 0.048 acres on Pate Road (Tract 4) as a right-of-way donated to Baldwin County by Shannon Marie Aultman and James David Aultman on June 17, 2020 (Instrument No. 1836950 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

BN12 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0203816 - Pate Road (Tract 7)

[21-0440](#)

Take the following actions:

- 1) Accept 0.835 acres on Pate Road (Tract 7) as a right-of-way donated to Baldwin County by Nathan L. Helton, Jr. and Susan L. Helton on June 3, 2020 (Instrument No. 1840925 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

BN13 *Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0220919 - Sonnie Lynn Lane (Tract 3)

[21-0443](#)

Take the following actions:

- 1) Accept 0.815 acres on Sonnie Lynn Lane (Tract 3) as a right-of-way donated to Baldwin County by H. Leslie Taylor Properties, Limited Partnership (50% interest) on December 30, 2019 (Instrument No. 1803385 of Baldwin County Judge of Probate) and Emmanuel Holdings, LLC (50% interest) on January 7, 2020 (Instrument No. 1806503 of

Baldwin County Judge of Probate); and

2) Related to the aforesaid, authorize the Chairman to execute IRS Forms 8283 for the donated right-of-way.

BO JUVENILE DETENTION

Wayne Dyess, County Administrator, said there is one Item under Juvenile Detention for the Commission's approval.

Ron Ballard, Juvenile Detention Center Director, appeared before the Commission to discuss the Alabama Department of Youth Services Grant Subsidy Agreement for FY 2020-2021. Mr. Ballard explained how the grant is broken down between the counties of Baldwin, Choctaw, Clarke, Conecuh, Escambia and Washington, is based on 2010 Census information, and how the 2020 Census should improve the grant amounts.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to approve Item BO1.

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

BO1 Department of Youth Services (DYS) Part 1 and Part 2 Grant Subsidy Agreement Fiscal Year 2020-2021

[21-0435](#)

Take the following actions:

1) Authorize the Chairman to execute the Alabama Department of Youth Services (DYS) Part 1 Grant/Subsidy Agreement Fiscal Year 2020-2021 and any related documents, which awards the Baldwin County Regional Juvenile Detention Center (JDC) \$14,000.00 per county for providing six (6) counties at a minimum of one bed per day per county for a total of \$84,000.00 for the following counties:

Baldwin, Choctaw, Clarke, Conecuh, Escambia and Washington

2) Authorize the Chairman to execute the Alabama Department of Youth Services (DYS) Part 2 Grant/Subsidy Agreement Fiscal Year 2020-2021 and any related documents, which awards the Baldwin County Regional Juvenile Detention Center \$71,310.00 for the population of the regional service area. The formula provides \$0.2449789 per person based on the 2010 United States Census.

BQ PERSONNEL

Wayne Dyess, County Administrator, said there are six Items under Personnel for the Commission's approval.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to approve Items BQ1 - BQ6.

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

BQ1 Highway Department (Traffic Operations) - Promotion of Employee [21-0460](#)

Approve the promotion of Trevor Thomas from the Operator Technician I position (PID #5287) grade 304 (\$15.797 per hour/\$32,857.76 annually) to fill the open Traffic Control Technician II position (PID #5172) at a grade 308 (\$17.061 per hour/\$35,486.88 annually) to be effective no sooner than February 15, 2021.

BQ2 Parks Department - Employment of One (1) Part-Time Park Attendant Position [21-0461](#)

Approve the employment of Michael Ryan to fill the open part-time Park Attendant position (PID #PT65) at a grade 303 (\$16.60 per hour), with said salary due to experience, to be effective no sooner than February 8, 2021.

BQ3 Baldwin Regional Area Transit System (BRATS) Department - Creation of Accounting Manager Position [21-0459](#)

Take the following actions:

- 1) Approve the creation of an Accounting Manager position (PID #TBD) grade S319 (S319 range: \$63,676.00 - \$104,341.00 annually); and
- 2) Approve the position description for the Accounting Manager position; and
- 3) Approve the updated organizational chart for the BRATS Department.

BQ4 Building Inspection Department - Approval of Position Descriptions [21-0464](#)

Approve the updated position descriptions for the Building Inspector I, Building Inspector II, Building Inspector III.

BQ5 Planning and Zoning Department - Position Changes

[21-0462](#)

Take the following actions:

- 1) Approve the employment of Orié King to fill the open Code Enforcement Officer position (PID #5590) at a grade S317 (\$66,000.000 annually), with said salary due to experience, to be effective no sooner than February 8, 2021; and
- 2) Approve the promotion of Vince Ramer from the Engineering Technician III position (PID #5380) grade 312 (\$25.614 per hour/\$53,277.12 annually) in the Highway Subdivision Department (00111/53150) to fill the open Code Enforcement Officer position (PID #5594) at a grade S317 (\$66,000.000 annually), with said salary due to experience, to be effective no sooner than February 8, 2021 .

BQ6 Planning and Zoning Department - Salary Change for Acting and Interim Planning Director

[21-0465](#)

Take the following actions:

- 1) Approve the appointment of Matthew Brown as the Acting and Interim Planning and Zoning Director, effective February 2, 2021, and approve a salary increase of \$5,000.00 for Matthew Brown to be effective on date of approval; and
- 2) Upon appointment of a permanent Planning and Zoning Director, recognize Matthew Brown shall return to his former position of Director of Transportation at same exact compensation for said position that existed prior to acting designation.

C PRESENTATIONS

CA GENERAL

CA1 Black History Month

[21-0434](#)

Felisha Anderson, Director of Archives and History/Special Historic Projects Coordinator, appeared before the Commission and introduced Ms. Tracie L. Brown, Executive Director, Ruff Wilson Youth Organization, Inc.

Ms. Brown appeared before the Commission and gave an oral presentation on the importance of celebrating Black History Month, as a way to not only commemorate the trials and triumphs of African Americans, but to emphasize the importance of the African American community's contributions and accomplishments throughout history.

The Commissioners thanked Ms. Brown and commented on her presentation.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to make the oral presentation given by Ms. Tracie L. Brown regarding Black

History Month a part of the record.

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

CA2 Highway Department Fiscal Year 2020 Year End Progress Report (October 1, 2019 - September 30, 2020) [21-0377](#)

Wayne Dyess, County Administrator, said the Highway Department Fiscal Year 2020 Year End Progress Report has been postponed until the next regular meeting.

D PUBLIC HEARINGS

DA ADMINISTRATION

DA1 Case No. LV-20010 - Alcohol License Application for Hurricane Bait and Tackle LLC d/b/a Hurricane Bait and Tackle [21-0327](#)

Chairman Davis opened the public hearing at 9:24 a.m. and asked if there is anyone present who wishes to speak.

Mr. Jack Perkins, the applicant and owner of Hurricane Bait and Tackle, LLC, appeared before the Commission to answer any questions.

There being no further requests to address the Commission, Chairman Davis closed the public hearing at 9:26 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to approve the transfer of 040-Retail Beer (On or Off Premises) license application from Colleen Williams d/b/a Tom's Tavern on Bayou to Hurricane Bait and Tackle LLC d/b/a Hurricane Bait and Tackle, located at 7060B Hurricane Road, Bay Minette Alabama 36507, and approve the issuance of said license by the Alabama Alcoholic Beverage Control (ABC) Board.

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 as Interim Payments Due to Software Conversion [21-0437](#)

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to approve the interim payments approved by the Chairman and paid January 22, 2021, be made a part of the minutes. The interim payments paid bills totaling \$3,933,065.55 (three million, nine hundred thirty-three thousand, sixty-five dollars and fifty-five cents).

Of this amount, \$572,262.78 (five hundred seventy-two thousand, two hundred sixty-two dollars and seventy-eight cents) was paid to the Baldwin County Board of Education and \$37,215.42 (thirty-seven thousand, two hundred fifteen dollars and forty-two cents) was paid to the Gulf Shores Board of Education for their 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

EA2 Notification of Interim Payments Approved by Clerk/Treasurer as Allowed Under Policy 8.1 [21-0438](#)

Wayne Dyess, County Administrator, informed the Commission that the Baldwin County Commission Interim Payments - February 2, 2021, made by the Clerk/Treasurer, totaling \$2,003,948.52 (two million, three thousand, nine hundred forty-eight dollars and fifty-two cents) are a part of the record.

F DISCUSSION ITEMS

FA ADMINISTRATION

FA1 Request to Use Byrnes Lake Landing and the Bicentennial Park Grounds for Overnight Camping and a Movie Screening Event "On Set Cinema" [21-0444](#)

No action taken.

FD BALDWIN REGIONAL AREA TRANSIT SYSTEM (BRATS)

FD1 Funding for County Employee Use of Baldwin Regional Area Transit System (BRATS) General Public Transportation for County Business [21-0441](#)

No action taken.

G COMMISSIONER REQUESTS

H ADDENDA

I ADMINISTRATIVE REPORT

Terri Graham, Development and Environmental Director, appeared before the Commission and commented on the start of the final pass for Hurricane Sally cleanup and the current status of the pick up for household appliances and white goods.

Ms. Graham thanked Crowder Gulf for its work in picking up storm debris and said approximately 4.3 million cubic yards of debris has been collected from the roadways. Ms. Graham said she has contacted the Alabama PALS regarding citizens' involvement with spring cleanup, which is anticipated to be the entire month of April. Staff will be ready to promote this in March.

Ms. Graham introduced Mr. Tony Erwin, CEO of AEP Renewable Fuels, who appeared before the Commission and gave a presentation on the process of creating renewable natural gas from Magnolia Landfill gases (methane).

J COUNTY ATTORNEY'S REPORT

K PUBLIC COMMENTS

Planning and Zoning - District 19 Election

21-0532

Mr. Alec Barnett, President, Baldwin County NAACP, appeared before the Commission to express his concerns over the zoning election for Planning District 19 and the responses he received from the Commission. Mr. Barnett further commented on the amount of trash located on a property on County Road 24, and requested a copy of the presentation from AEP Renewable Fuels presented earlier in the meeting.

Mr. Willie Williams, President of the Baldwin County Martin Luther King Jr., Celebration Committee, appeared before the Commission to discuss his objections to the way the election process of Planning District 19 in Point Clear was handled.

Brad Hicks, County Attorney, appeared before the Commission and discussed the Legislative Delegation's change to the zoning statute made in 2010 (Code of Ala. §45-2-261.07), applicable only to Baldwin County, which made the zoning process more of a citizen driven process.

Ms. Mary Agee, Mr. Willard Holliman, Mr. James Black, and Ms. Shelia Williams, residents of Planning District 19, appeared before the Commission and commented regarding their concerns related to the election process during the zoning election recently held in Planning District 19.

Mr. Hicks further commented on the election process and the proper way for anyone to challenge the decision being through the Circuit Court of Baldwin County.

L PRESS QUESTIONS

M COMMISSIONER COMMENTS

The Commissioners provided their closing comments.

N ADJOURNMENT

Chairman Joe Davis, III, said the February 2, 2021, Baldwin County Commission Regular meeting is adjourned at 10:36 a.m.

A handwritten signature in black ink, reading "Joe Davis III". The signature is written in a cursive style with a large, stylized "J" and "D".