

# Baldwin County Commission

Baldwin County Commission Regular  
Meeting Minutes  
Tuesday, May 2, 2023  
8:30 AM



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

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

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

## WELCOME BY CHAIRMAN, INVOCATION AND PLEDGE OF ALLEGIANCE

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

**Absent:** 0

Also present were, Ron Cink, Budget Director/Interim County Administrator, and Brad Hicks, County Attorney.

The Chairman called the meeting to order at 8:31 a.m. After the Invocation by Joe Aldrete with Calvary Chapel Fellowship of Foley, and the Pledge of Allegiance led by Sheriff Huey Hoss Mack, the Commission transacted the following business to-wit:

### A ADOPTION OF MINUTES

April 18, 2023, Regular Meeting

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, to adopt the minutes of the April 18, 2023, Regular meeting.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

### B COMMITTEE REPORTS

#### BA FINANCE/ADMINISTRATION DIVISION

**BA1** Payment of Bills

[23-1044](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner James E. Ball, to approve payment of the bills and distribution of taxes which are listed in the Baldwin County Accounts Payable Payments.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**BA2** Notification of Interim Payments Approved by Clerk/Treasurer as Allowed Under Policy 8.1

[23-1043](#)

No action taken.

**CONSENT**

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, to approve the Consent Agenda with the exception of Item CN3.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**CA ADMINISTRATION**

**CA1** City of Fairhope - Annexation Notification

[23-1039](#)

Authorize placement of the City of Fairhope's Annexation Ordinance No. 1774, annexing property into the corporate limits of the City of Fairhope, Alabama, into the minutes of the May 2, 2023, Baldwin County Commission meeting with proper notification to the following departments/organizations:

- Baldwin County Commission Departments:
- Baldwin County Commission
- Building Inspection Department
- Communications/Information Systems Department
- Environmental Management/Solid Waste Department
- Highway Department

Planning and Zoning Department

Elected Officials:

Baldwin County Probate Office  
Baldwin County Revenue Commission  
Baldwin County Sheriff's Office

Other Agencies:

Board of Registrars Office  
Emergency 911  
South Alabama Regional Planning Commission

**CA2** City of Foley - Annexation Notification

[23-1029](#)

Authorize the placement of the City of Foley's Annexation Ordinance No. 23-2004-ORD annexing property into the corporate limits of the City of Foley, Alabama, into the minutes of the May 2, 2023, Baldwin County Commission regular meeting with proper notification to the following departments/organizations:

Baldwin County Commission Departments:

Baldwin County Commission  
Building Inspection Department  
Communications/Information Systems Department  
Environmental Management/Solid Waste Department  
Highway Department  
Planning and Zoning Department

Elected Officials:

Baldwin County Probate Office  
Baldwin County Revenue Commission  
Baldwin County Sheriff's Office

Other Agencies:

Board of Registrars Office  
Emergency 911  
South Alabama Regional Planning Commission

**CA3** Case No. LV-23005 - Alcohol License Application for Wegman Gulf Coast Holdings, LLC d/b/a Wegman's Galley Louisiana Kitchen

[23-1033](#)

Approve the transfer and issuance of 020 - Restaurant Retail Liquor license by the Alabama Alcoholic Beverage Control (ABC) Board from K and BW LLC d/b/a The Galley, to Wegman Gulf Coast Holdings, LLC d/b/a Wegman's Galley Louisiana Kitchen, located at 18546 County Road 10, Foley, Alabama 36535.

**CC ARCHIVES AND HISTORY**

**CC1 Community Engagement Events and Activities - 2023**

**23-1056**

Take the following actions:

1) Authorize staff to partner with the South Alabama Antique Tractor and Engine Club to host the Olde Time Days event at Baldwin County Bicentennial Park to be held on Saturday, October 7, 2023, from 9:00 a.m. until 4:00 p.m.; and

2) Approve the Archives Department to host/coordinate/promote on-site, off-site, and non-standard hours events; and

3) Approve Archives Staff to partner with the Parks Department to host/promote Olde Time Days at Bicentennial Park to be held on Saturday, October 7, 2023, from 9:00 a.m. until 4:00 p.m. This is a free event with donations accepted; and

4) Approve the Archives Department with support from Parks, Building Maintenance and Highway Departments to host/promote the haunted hayrides at Live Oak Landing in Stockton, Alabama, to be held on Friday, October 20, 2023, and Saturday, October 21, 2023, from 5:00 p.m. until 9:00 p.m. each night. Cost is \$5.00 per person, children three (3) and under are free; and

5) Approve the Archives Department with support from Parks, Building Maintenance, CIS, and Highway Departments to host/promote the Christmas Extravaganza Festival at Bicentennial Park to be held on Friday, December 8, 2023, and Saturday, December 9, 2023, from 5:00 p.m. - 10:00 p.m. each night. This is a free event with donations accepted; and

6) Approve the Archives Department with support from Parks, Building Maintenance, CIS, and Highway Departments to host/coordinate/promote this year's Holiday Drive-thru Light Display at Bicentennial Park to begin Monday, November 27, 2023, thru December 23, 2023, from 5:00 p.m. - 9:00 p.m. each night. The Drive-thru will be closed, December 8, December 9, December 24, December 25, December 26 as well as during inclement weather. This is a free event with donations accepted; and

7) Authorize the Archives Department to partner with The Chestangs from McIntosh, Alabama to host/promote the first Bluegrass Festival at Bicentennial Park to be held on Saturday, March 16, 2024, from noon until 5:00 p.m. The first year's event will be free. After the first year, should the Commission approve, there will be an entrance fee to attend this event. Tentative guest groups are Rhonda Vincent and the Rage, Larry Sparks and the Lonesome Ramblers, Ralph Stanley II and the Clinch Mountain Boys, The Chestangs, and the Unknown Bluegrass Band.

**CE BUDGET/PURCHASING**

**CE1** Competitive Bid #WG23-25A - Purchase and Installation of One (1) New 30 ft. x 40 ft. x 14 ft. Metal Building Located in Bay Minette, Alabama for the Baldwin County Commission [23-1046](#)

Take the following actions:

1) Approve the revised specifications and authorize the Purchasing Director to re-bid for the Purchase and Installation of One (1) New 30 ft. x 40 ft. x 14 ft. Metal Building Located in Bay Minette, Alabama; 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.

**CE2** Competitive Bid #WG23-26 - Re-roofing of the Baldwin County Probation Office Building Located at Fairhope Satellite Courthouse for the Baldwin County Commission [23-1053](#)

Award Bid #WG23-26 to the lowest bidder, Amerson Roofing, Inc., for the Re-roofing of the Baldwin County Probation Office Building Located at the Fairhope Satellite Courthouse per the Award Listing and authorize the Chairman to execute the contract.

**CE3** Competitive Bid #WG23-27 - Labor and Incidental Materials for Roof Repairs and Maintenance to Various County Buildings for the Baldwin County Commission [23-1070](#)

Award the bid to the lowest bidder, Nations Roof Central, LLC, for the Competitive Bid #WG23-27 - Labor and Incidental Materials for Roof Repairs and Maintenance to Various County Buildings per the Award Listing and authorize the Chairman to execute the contract.

**CE4** Competitive Bid #WG23-28 - Purchase of Fifty-two (52) Body Cameras and Mounts for the Baldwin County Sheriff's Office [23-1040](#)

Take the following actions:

1) Reject all bids received because the bid specifications did not meet Law Enforcement parameters and video storage requirements and authorize the Purchasing Director to re-bid for the Purchase of Fifty-two (52) Body Cameras and Mounts for the Baldwin County Sheriff's Office; 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.

**CE5** Competitive Bid #WG23-37 - Provision of Elevator Maintenance Services for the Baldwin County Commission

[23-1016](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the Provision of Elevator Maintenance Services 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.

**CE6** Competitive Bid #WG23-38 - Provision of Mower Blades for the Baldwin County Commission

[23-1019](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the Provision of Mower Blades; 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.

**CE7** Final Design for the MacBride Landfill Phase IV Access Road Located in Loxley, Alabama for the Baldwin County Commission

[23-1037](#)

Approve the final design of the Baldwin County MacBride Landfill Phase IV Access Road located in Loxley, Alabama, and authorize the Purchasing Director and Engineer, CDG Engineers & Associates, Inc., to bid the project.

**CE8** Final Designs for the Baldwin County Magnolia Landfill Facility Entrance Utilities, Scale House and Scales for the Baldwin County Commission

[23-1051](#)

Approve the final designs of the Baldwin County Magnolia Landfill Facility Entrance Utilities, Scale House and three (3) Scales and authorize the Purchasing Director and Engineer to bid the projects.

**CE9** Rental of One (1) New Copy Machine for the Baldwin County Commission Office Located at the Satellite Courthouse in Foley, Alabama

[23-1014](#)

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:

Location: Baldwin County Commission Office - Foley Satellite Courthouse  
Model: BP-70C45  
Price: \$192.41/month  
Excess Charge/copy: \$0.0065 BW and \$0.0450/color copy

**CE10** Request for Proposals (RFP) for Personal Property Consultant Services for the Baldwin County Commission [23-1018](#)

Award the Request for Proposals (RFP) for Personal Property Consultant Services to Lisa A. Hobart, LLC, per the Award Listing and authorize the Chairman to execute the Contract for twelve (12) months, with an option to issue two (2) additional twelve (12) month contract extensions. (Contract effective upon full execution.)

**CE11** Request for Proposals (RFP) for Unify Telephony System Maintenance and Support Services for the Baldwin County Commission [23-1042](#)

Award the Request for Proposals (RFP) for Unify Telephony System Maintenance and Support Services to Westridge Professional Services, Inc., per the Award Listing and authorize the Chairman to execute the Contract for twelve (12) months, with an option to issue two (2) additional twelve (12) month contract extensions. (Contract effective upon full execution.)

**CE12** Resolution #2023-108 - Fiscal Year 2023 Mid-year Budget Adjustments [23-1061](#)

Adopt Resolution #2023-108 amending the Fiscal Year 2023 Budget (Resolution #2022-165 and #2022-166, adopted September 20, 2022) to add funding for mid-year adjustments.

**CE13** Miscellaneous Appropriation to Baldwin County Library Cooperative [23-1088](#)

Approve Miscellaneous Appropriation of \$5,850.00 to the Baldwin County Library Cooperative for a short-term vehicle rental until the cargo van, approved for purchase during the April 4, 2023, Baldwin County Commission Regular meeting, is delivered.

This funding is comprehended in Budget Resolution #2023-108.

**CH COMMUNICATIONS/INFORMATION SYSTEMS (CIS)**

**CH1** \*DLT Solutions, LLC - TIPS Purchasing Cooperative Contract for Probate Office [23-1004](#)

Approve and authorize Chairman to execute the TIPS Purchasing Cooperative Contract No. 210101 between DLT Solutions, LLC and Baldwin County Commission (Judge of Probate) for a complete, configurable solution for recording, managing, and accessing land records at the annual rate of \$188,106.38 with an annual standard adjustment and a

one-time Go-Live cost of \$179,148.94.

The term of this agreement is effective upon the date of full execution by both parties for a term of three (3) years, unless otherwise terminated by the parties set for herein and shall be completed no later than May 31, 2026.

**CH2** Professional Services Agreement with Prime Data, LLC for General Programming and Consulting Services

[23-0844](#)

Approve and authorize the Chairman to execute the Professional Services Agreement between Prime Data, LLC, and Baldwin County Commission (Judge of Probate) for general programming and consulting services related to the conversion from AS400 Computer Systems.

This a month-to-month Agreement and may be renewed with the mutual consent of the parties. The estimated term of this Agreement is one (1) to two (2) months in the amount of \$3000 per month, effective upon the date of full execution by both parties. Either party may terminate this Agreement, with or without cause, upon thirty (30) days' written notice.

**CH3** Termination of Management Control Agreement with City of Foley Police Department

[23-1059](#)

Take the following actions:

- 1) Terminate the Management Control Agreement between the Baldwin County Commission and the City of Foley Police Department, executed on May 21, 2013, for network and computer support, approved during the May 21, 2013, Baldwin County Regular Meeting (Agenda Item BE2); and
- 2) Notify the City of Foley Police Department, with the required thirty (30) days written notification of termination as stated in the Management Control Agreement.

**CK EMERGENCY MANAGEMENT AGENCY (EMA)**

**CK1** Agreement Concerning Use of Board of Education Facilities as Emergency Mass Care Shelters

[23-1041](#)

Approve the Agreement Concerning Use of Facilities of the Board of Education as Emergency Mass Care Shelters between the Baldwin County Board of Education and Baldwin County Commission to allow the use of certain Baldwin County Board of Education facilities as mass care shelters.

This agreement will replace the previous agreement approved by the Baldwin County Commission on August 17, 2021. This agreement shall automatically renew for an additional period not to exceed three (3) years unless and until either party provides



written notice of termination. Either party shall be able to, upon (thirty) 30 days advance written notice, terminate this Agreement. Notwithstanding anything written or implied herein, the Board shall not terminate this Agreement anytime during the period between April 1st and November 1st, during any calendar year without a showing of extenuating circumstances.

**CK2** Fiscal Year 2023 Emergency Management Performance Grant State Subaward Agreement

[23-1071](#)

Take the following actions:

1) Approve the Fiscal Year 2023 Emergency Management Performance Grant State Subaward Agreement with Alabama Emergency Management Agency providing \$4,334.00 in Emergency Management Performance Grant (EMPG) State Share Funds to Baldwin County Emergency Management Agency. The period of performance for this grant is October 1, 2022, to September 30, 2023; and

2) Authorize the Chairman to execute the State EMPG Agreement and any related documents.

**CL ENVIRONMENTAL MANAGEMENT**

**CL1** Lease Agreement with Mullek Farms for Use of County Property at Magnolia Landfill

[23-0973](#)

Approve and authorize Chairman to execute a Lease Agreement between Baldwin County Commission, Mr. Timothy Mullek, Mr. Joseph Mullek, and Mr. Michael Mullek, d/b/a Mullek Farms, which will allow Mr. Timothy Mullek, Mr. Joseph Mullek, and Mr. Michael Mullek to lease approximately forty (40) acres more or less of county property at Magnolia Landfill, for farmland, at a lease price of \$75.00 per acre.

The term of the Lease Agreement shall be from May 2, 2023, to May 1, 2026, unless sooner terminated as set forth by the Lease Agreement.

**CL2** Resolution #2023-109 - FY2023 Budget Amendment #6 - Material Recovery Facility (MRF) Project

[23-1063](#)

Adopt Resolution #2023-109 amending the Fiscal Year 2023 Budget (Resolution #2022-165 and #2022-166, adopted September 20, 2022) to authorize additional funding of \$5,465,000.00 for Fund 512 Recycle Center capital expenditures for the Material Recovery Facility (MRF) project.

**CN HIGHWAY**

**CN1** Adopt-A-Mile - Perdido Street from County Road 99, North One (1) Mile in Lillian, Alabama

[23-1062](#)

Authorize the Chairman and County Engineer to execute an Adopt-A-Mile Program application submitted by Tonda Adams for Perdido Street from County Road 99 north one (1) mile in Lillian, Alabama.

**CN2** County Road 55 - 293 Feet South of Lakeway Drive - Reimbursable Utility Agreement [23-1038](#)

Approve a Reimbursable Utility Agreement between the Baldwin County Commission and the City of Loxley for the relocation of utilities to complete the culvert replacement on County Road 55 - 293 feet south of Lakeway Drive (Report #6826).

The total cost of this relocation is \$60,735.00 with the Alabama Department of Transportation (ALDOT) providing \$48,588.00 (80%) and Baldwin County providing the remaining \$12,147.00 (20%).

This agreement shall be effective upon full execution and will terminate upon completion of the project.

**CP PARKS**

**CP1** License Agreement No. 23001-Parks - Sibley Street - Drainage Improvements [23-1032](#)

Approve License Agreement No. 23001-Parks permitting Ty and Kathy Cobb c/o Baxter Mayfield to access county property to improve drainage and to utilize existing county right-of-way catch basin as a part of overall drainage plan at Sibley Street in Fairhope.

The terms of this agreement shall commence on May 2, 2023, and end on June 16, 2023. License for maintenance shall be indefinite according to the terms of the agreement or until modified by a written agreement with Licensor.

**CQ PERSONNEL**

**CQ1** Animal Shelter - Promotion of Employee [23-1074](#)

Approve the promotion of Michael Dorman from the Animal Control Officer position (#5355) grade 305 (\$14.19 per hour / \$29,515.20 annually) to fill the open Senior Animal Control Officer position (#5459) at a grade 306 (\$15.33 per hour / \$31,886.40 annually) to be effective no sooner than May 8, 2023.

**CQ2** BRATS Department - Personnel Changes [23-1075](#)

Approve the transfer of Susan Overton from the Buyer I position (PID #5308) grade 307 (\$15.86 per hour / \$32,988.80 annually), in the Budgeting and Purchasing Department (51725), to fill the open Billing Account Specialist I position (PID #5552) at a grade 306 (\$15.86 per hour / \$32,988.80 annually), in the BRATS Administration Department

(51930), to be effective no sooner than May 8, 2023.

**CQ3** Finance and Accounting - Employment of One (1) Chief Compliance Officer Position [23-1073](#)

Approve the employment of Aislinn Stone to fill the Chief Compliance Officer position (#5707) at a grade S320 (\$92,500.00 annually), with said salary due to experience, to be effective no sooner than May 4, 2023.

**CQ4** Highway Department (Foley) - Promotion of Employee [23-1076](#)

Approve the promotion of Reginald Ervin from the Operator Technician III position (#1008) grade 310 (\$20.23 per hour / \$42,078.40 annually) to fill the open Operator Technician IV position (#5684) at a grade 312 (\$21.85 per hour / \$45,448.00 annually) to be effective no sooner than May 8, 2023.

**CQ5** Highway Department (Pre-Construction) - Transfer of Employee [23-1077](#)

Approve the transfer of Ashlie Rickard from the Senior Revenue Clerk position (PID #5423) grade 310 (\$21.72 per hour / \$45,177.60 annually), in the Sales and Use Tax/License Inspection Department (51750), to fill the open Design Technician I position (PID #5445) at a grade 310 (\$21.72 per hour / \$45,177.60 annually), in the Highway Pre-Construction Department (53600), to be effective no sooner than May 8, 2023.

**CQ6** Juvenile Detention Center - Employment of One (1) Detention Worker I Position [23-1078](#)

Approve the employment of Austin Smith to fill the open Detention Worker I position (#5604) at a grade 308 (\$16.42 per hour / \$34,153.60 annually) to be effective no sooner than May 8, 2023.

**CQ7** Parks Department - Personnel Changes [23-1079](#)

Rescind a portion of the staff recommendation of Item CQ4 approved during the April 18, 2023, Regular Meeting which approved as follows:

" 3) Approve the voluntary demotion of Michael Anderson from the Landscape Technician II position (#5658) grade 308 (\$17.92 per hour / \$37,273.60 annually) to Landscape Technician I position (#4041) grade 306 (\$17.02 per hour / \$35,401.60 annually)."

**CQ8** Planning and Zoning - Promotion of Employee [23-1085](#)

Approve the promotion of Calla McKenzie from the Administrative Support Specialist I position (#2069) grade 306 (\$14.90 per hour / \$30,992.00 annually) to fill the open

Planning Technician I position (#5710) at a grade 310 (\$18.28 per hour / \$38,022.40 annually) to be effective no sooner than May 8, 2023.

**CQ9** Revenue Commission - Personnel and Position Changes

[23-1081](#)

Take the following actions:

1) Abolish the Assessment Support Specialist II position (#5514), grade 310 (grade 310 range: \$18.28 - \$29.95 per hour); and

2) Create two (2) Assessment Support Technician I positions at a grade 305 (grade 305 range: \$14.19 - \$23.25 per hour); and

3) Approve the lateral transfer of V. Tonya Ireland from the Real Property Support Technician I position (#5525) grade 305 (\$15.21 per hour / \$31,636.80 annually), to fill the Assessment Support Technician I position (#TBD), with no change in salary, to be effective no sooner than May 8, 2023; and

4) Approve the updated organizational chart for the Revenue Commission - Assessment Division.

**CQ10** Sales and Use Tax/License Inspection Department - Personnel Changes

[23-1082](#)

Take the following actions:

1) Approve the promotion of Terrie Watson from the Revenue Clerk II position (#5206), grade 309 (\$21.59 per hour / \$44,907.20 annually) to fill the open Senior Revenue Clerk position (#5423) at a grade 310 (\$23.32 per hour / \$48,505.60 annually); and

2) Approve the promotion of Latoya Woodyard from the Revenue Clerk I position (#5988), grade 307 (\$15.63 per hour / \$32,510.40 annually) to Revenue Clerk II (#5206) at a grade 309 (\$17.25 / \$35,880.00 annually).

These actions shall be effective no sooner than May 8, 2023.

**CR PLANNING AND ZONING**

**CR1** Baldwin County Commission Board of Adjustment #2 - Board Appointment(s)

[23-0994](#)

Related to the Baldwin County Commission Board of Adjustment #2, take the following actions:

1) Accept the resignation of Mr. Lawrence Kern, effective May 2, 2023, and thank him for his prior civic service as a regular member (Planning District 24 Designee) of the board; and

2) Appoint Mr. Mark J. Corn, as a regular member (Planning District 24 Designee), for a pro-rata reduced three (3) year term, to fill the place seat formerly held by Mr. Lawrence Kern, said term commencing May 2, 2023, and expiring March 16, 2025.

**CN HIGHWAY - Cont.**

**CN3** Resolution #2023-105 - Transfer of Certain County Roads to the Alabama Department of Transportation [23-1087](#)

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner James E. Bal, to adopt Resolution #2023-105 authorizing the transfer of portions of the Foley Beach Express, Baldwin Beach Express, Roscoe Road and County Road 4 to the Alabama Department of Transportation.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**D PRESENTATIONS**

**DA GENERAL**

**DA1** Proclamation - Older Americans Month - May 2023 [23-0832](#)

After Ron Cink, Budget Director/Interim County Administrator, read the proclamation, Chairman Gruber presented the proclamation to Ms. Sue Ferguson, Manager, and Ms. Carolyn Biddle, Assistant, with Little River Senior Adult Independent Living (S.A.I.L.) Center in Loxley.

Kelly Childress, Council on Aging Coordinator, said the Little River S.A.I.L. Center has been open for one year and is a result of the Little River community coming together to make it successful.

The Commissioners thanked Ms. Childress for her work with the S.A.I.L. centers and in getting the Little River Center up and running.

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to adopt a Proclamation which proclaims the month of May 2023 as "Older Americans Month" in Baldwin County, Alabama.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**DA2** Proclamation - National Correctional Officers Week - May 7-13, 2023

[23-0953](#)

After Ron Cink, Budget Director/Interim County Administrator, read the proclamation, Commissioner Ball presented the proclamation to Sheriff Mack and members of the Baldwin County Corrections Center.

Sheriff Mack thanked the Commission for the recognition and said Corrections Officers are a very unique and challenging part of law enforcement and they are to be commended for their efforts. Sheriff Mack recognized the following Corrections Officers present:

Major Arthur, Commander of Corrections  
Captain Graves, Corrections Officer  
Captain Nathan Lusk, Corrections Officer

The Commissioners thanked Sheriff Mack and his staff for the work they do.

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, to adopt a Proclamation which proclaims May 7-13, 2023, as National Correctional Officers Week in Baldwin County, Alabama.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**DA3** Proclamation - National Law Enforcement Officers Memorial Week - May 14-20, 2023

[23-0954](#)

After reading the proclamation, Commissioner McKenzie presented it to Sheriff Huey Hoss Mack and members of the Baldwin County Sheriff's Office.

Sheriff Mack thanked the Commission for the recognition and said the Law Enforcement Memorial dedication ceremony will be held on May 11, 2023, in Robertsdale beginning at 10:00 a.m. Sheriff Mack noted the 14th name to be added to the monument will be Officer Ivan Lopez of the Mount Vernon Police Department, who was killed in an automobile accident. Sheriff Mack invited the

public to attend the ceremony to honor the men and women of law enforcement.

Commissioner McKenzie noted the death of his mentor and friend, State Trooper Brian Nichols, who was killed in an automobile accident on February 17, 2002. Commissioner McKenzie encouraged the public to visit the National Law Enforcement Officers Memorial at Washington, D.C.

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner Billie Jo Underwood, to adopt a Proclamation which proclaims May 14-20, 2023, as National Law Enforcement Memorial Officers Week.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**DA4** Proclamation - Emergency Medical Services Week - May 21-27, 2023

[23-1009](#)

Commissioner Ball left the meeting and the Chambers at 9:23 a.m.

After reading the proclamation, Commissioner Underwood presented it to Mr. Jeffrey Edwards, Interim Operations Manager for Global Medical Response-South Alabama, Chief Brad Jernigan and members of the Medstar EMS staff.

Chief Jernigan thanked the Commission for allowing Medstar to serve Baldwin County and said the theme for Emergency Medical Services Week - 2023 is "Where Emergency Care Begins." Chief Jernigan said his staff is fortunate to be able to provide life saving interventions to the citizens of Baldwin County.

Mr. Edwards said he is from North Carolina and has been serving as Medstar's Interim Chief in Baldwin County since March 2023.

Commissioner Ball returned to the Chambers and the meeting at 9:26 a.m.

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to adopt a Proclamation which proclaims the week of May 21-27, 2023, as "Emergency Medical Services Week" in Baldwin County, Alabama.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**DA5** Employees of the Quarter for 1st Quarter 2023

[23-1080](#)

Deidra Hanak, Personnel Director, Keri Green, Commission Executive Assistant, and Madison Steele, Horticulturist, appeared before the Commission to present certificates recognizing the following employees as Employees of the Quarter for the Baldwin County Commission:

Betty Fitkin, Central Annex I  
Michael Curry, Parks Department  
Susan Allen, Probate Office

Ms. Green said Ms. Fitkin is one of the hardest working employees she knows, always pleasant, joyful and very quick to help. It has been an honor to work with Ms. Fitkin over the last 10 years.

Ms. Hanak said Mr. Curry was nominated by the Robertsdale Fire Department for assisting with a car accident before first responders arrived.

Mr. Steele said Mr. Curry has been with the county for 11 years, was promoted to Crew Leader in August 2022 and handles many duties. Mr. Steele said he is proud to have Mr. Curry in the Parks Department.

Ms. Hanak said Ms. Allen, who could not be in attendance today, was nominated by a citizen renewing tags who was very complimentary of Ms. Allen and her assistance even though the transaction was fraught with problems.

The Commissioners thanked the employees recognized today for the work they do for Baldwin County.

**E PUBLIC HEARINGS**

**ER PLANNING AND ZONING**

**ER1** Case No. Z23-1 - Baird Property Rezoning

[23-1086](#)

Matthew Brown, Planning Director, appeared before the Commission and provided background information on the subject property.

Chairman Gruber opened the public hearing at 9:44 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 9:44 a.m.



Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, to adopt Resolution #2023-080, which approves Case No. Z23-1 Baird Property, as it pertains to the rezoning of 24 acres, more or less, as located in Planning (Zoning) District 22, from RSF-1 Single Family District to RA Rural Agricultural District.

The motion passed by the following vote:

**Aye:** 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 0

**ER2** Case No. Z23-4 - Turner Property Rezoning

[23-0933](#)

Matthew Brown, Planning Director, appeared before the Commission and provided background information on the subject property.

Chairman Gruber opened the public hearing at 9:46 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 9:47 a.m.

Commissioner Underwood noted this is a huge correction to the zoning as it pertains to compatibility and she is glad to see this being done.

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to adopt Resolution #2023-082, which approves Case No. Z23-4, Turner Property, as it pertains to the rezoning of 17.08 +/- acres, more or less, as located in Planning (Zoning) District 32, from RSF-2, Single Family District and RMF-6, Multiple Family District to RSF-E, Residential Single Family Estate District.

The motion passed by the following vote:

**Aye:** 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 0

**F OTHER STAFF RECOMMENDATIONS**

**FA ADMINISTRATION**

**FA1** Lease Agreement with Bay Minette Land Company for the Board of

[23-1015](#)

Registrars Building

Removed from Agenda.

**FA2** Request from U.S. Department of Veterans Affairs Readjustment Counseling Service for Use of Space at Baldwin County Central Annex [23-1027](#)

Removed from Agenda.

**FL ENVIRONMENTAL MANAGEMENT**

**FL1** Solid Waste Disposal Authority - Request for an Attorney General's Opinion [23-1094](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to adopt Resolution #2023-113 which approves, authorizes and directs the Attorney for the Baldwin County Commission to request an opinion from the Office of the Attorney General for the State of Alabama regarding whether a solid waste disposal authority with a county and a municipality as determining subdivisions is exempt from the laws of Alabama requiring competitive bids pursuant to § 11-89A-18, Code of Alabama (1975).

The motion passed by the following vote:

**Aye:** 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 0

**FL2** \*Application for Formation of Solid Waste Disposal Authority [23-1066](#)

Brad Hicks, County Attorney, said the names of the board members should be included in the motion.

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner James E. Ball, to take the following actions:

- 1) Execute the Application for the Incorporation of the Solid Waste Disposal Authority of Baldwin County, Alabama, Inc.; and
- 2) Review the form Certificate of Incorporation for the proposed authority; and
- 3) Adopt Resolution #2023-114 authorizing the formation of the Solid Waste Disposal Authority of Baldwin County, Alabama, Inc.; and
- 4) Appoint the following individuals to the initial Board of Directors of the Solid Waste

Disposal Authority of Baldwin County, Alabama, Inc:

Jennifer Foutch

Jason Padgett

Rhonda Younce Butler

Paige Felts

James E. Ball, current Industrial and Civic Division Chair of the Baldwin County Commission (position to rotate each year).

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

#### **FR PLANNING AND ZONING**

**FR1** \*Termination of Baldwin County's Program Membership in the Pensacola and Perdido Bay Estuary Program

[23-1055](#)

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, to take the following actions:

- 1) Terminate the Interlocal Agreement between the Baldwin County Commission and Pensacola and Perdido Bay Estuary Program (PPBEP) for the Estuary Program establishment and development and implementation of a Comprehensive Conservation & Management Plan, approved during the February 19, 2019, Baldwin County Commission Regular meeting (Agenda Item BA1); and
- 2) Notify PPBEP with the required sixty (60) days written notification of termination as stated in the Agreement; and
- 3) Waive the sixty (60) days written notice requirement from Section 4.2 of the Interlocal Agreement to the extent allowed by law and accepted by the Parties to the Agreement.

Termination to be effective July 1, 2023, or an earlier date to the extent the sixty (60) days written notice requirement of Section 4.2 is waived by the Parties.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

Abstain: 0

## G AMERICAN RESCUE PLAN ACT (ARPA) RECOMMENDATIONS

### GA GENERAL

**GA1** Allocation of American Rescue Plan Act (ARPA) Funds for Baldwin County Commission Staff Administrative Costs [23-1024](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner James E. Ball, to approve the allocation of "real" American Rescue Plan Act (ARPA) funds in the amount of \$12,006.43 to cover direct administrative costs for Baldwin County Commission staff from January 1, 2023, through March 31, 2023.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**GA2** Allocation of American Rescue Act (ARPA) Revenue Replacement Funds to Baldwin County Eastern Shore Health Care Authority [23-1069](#)

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner Billie Jo Underwood, to approve and authorize the Chairman to execute the sub-recipient agreement between the Baldwin County Commission and the Baldwin County Eastern Shore Health Care Authority allocating up to \$317,400.00 in ARPA Revenue Replacement funds for the implementation, setup, and training expenses of a crisis alert system in Baldwin County Infirmity Health facilities.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**GA3** Competitive Bid #WG23-17 - Outfit the Magnolia Material Recovery Facility for the Baldwin County Commission [23-1030](#)

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, to approve Change Order #1 in the amount of \$181,953.00 with Green Machine Sales, LLC, for Bid #WG23-17 - Outfit of the Magnolia Material Recovery Facility and authorize the Chairman to execute the Change Order.

Funding will be from the American Rescue Plan Act (ARPA) funds.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**GA4** Resolution #2023-110 - Allocation of American Rescue Plan Act (ARPA) Revenue Replacement Funds for the Purchase of a 2R 250-84 2x50 Horsepower Two Ram Baler for Recycle Facility [23-1057](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to adopt Resolution #2023-110 of the Baldwin County Commission allocating up to \$569,305.94 of the County's ARPA Revenue Replacement funds to purchase a 2R 250-84 2x50 Horsepower Two Ram Baler from Marathon Equipment Company for the Magnolia Materials Recovery Facility (MRF).

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**GA5** \*American Rescue Plan Act (ARPA) Program Update [23-1050](#)

No action taken.

## H ADDENDA

### HA GENERAL

**HA1** East Central Baldwin County Water, Sewer, and Fire Protection Authority - Board Appointment(s) [23-1099](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner James E. Ball, related to the East Central Baldwin County Water, Sewer, and Fire Protection Authority, to re-appoint Mr. Carl Davis for a pro-rata reduced six (6) year term, said term continuing from March 1, 2023, and expiring March 1, 2029.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**HA2** \*Employment Contracts for Appointed Employees and Appointments of Acting and Interim County Engineer and Assistant County Engineer

[23-1095](#)

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, related to the Employment Contracts between the Baldwin County Commission and the Appointed Contract Employees, to take the following actions:

1) Budget Director Position

Approve the execution of the Employment Contract with Elizabeth M. Hodges for the position of Budget Director, with an annual compensation of \$120,000, effective on May 11, 2023, and expiring on November 3, 2026.

2) Building Official Position

Approve the execution of the Employment Contract with Eddie D. Harper for the position of Building Official, with an annual compensation of \$130,000, effective on May 1, 2023, and expiring on November 3, 2026.

3) Clerk / Treasurer Position

Approve the execution of the Employment Contract for Adria Cian Harrison for the position of Clerk / Treasurer, with an annual compensation of \$135,000, effective on May 1, 2023, and expiring on November 3, 2026.

4) Communication and Information Systems Director Position

Approve the execution of the Employment Contract for Brian Peacock for the position of Communication and Information Systems Director, with an annual compensation of \$150,000, effective on May 1, 2023, and expiring on November 3, 2026.

5) County Administrator Position

Approve the execution of the Employment Contract for Roger H. Rendleman for the position of County Administrator, with an annual compensation of \$225,000, effective on May 8, 2023, and expiring on November 3, 2026.

6) Development and Environmental Director (Solid Waste) Position

Approve the execution of the Employment Contract for Terri Lynn Graham for the

position of Development and Environmental Director, with an annual compensation of \$150,000, effective on May 1, 2023, and expiring on November 3, 2026.

7) Emergency Management Director Position

Approve the execution of the Employment Contract for Zachary M. Hood for the position of Emergency Management Director, with an annual compensation of \$125,000, effective on May 1, 2023, and expiring on November 3, 2026.

8) Juvenile Detention Director Position

Approve the execution of the Employment Contract for Georgeanna Murphy for the position of Juvenile Detention Director, with an annual compensation of \$110,000, effective on May 1, 2023, and expiring on November 3, 2026.

This contract shall supersede and make null and void the previous Employment Contract between the Baldwin County Commission and Georgeanna Murphy, approved by the Commission on February 7, 2023.

9) Personnel Director Position

Approve the execution of the Employment Contract for Deidra B. Hanak for the position of Personnel Director, with an annual compensation of \$120,000, effective on May 1, 2023, and expiring on November 3, 2026.

Related to the County Engineer and Assistant County Engineer Positions, take the following actions:

1) Approve the appointment of Frank Lundy as the Acting and Interim County Engineer, effective May 1, 2023, with a salary in the amount of \$165,000 annually.

Upon the hiring of a permanent County Engineer, recognize that Frank Lundy shall return to his former position of Operations Manager (Assistant County Engineer) at same exact compensation for said position that existed prior to acting designation.

2) Approve the appointment of Seth Peterson as the Acting and Interim Assistant County Engineer, effective May 1, 2023, with a salary in the amount of \$105,000 annually.

Upon the hiring of a permanent County Engineer, recognize that Seth Peterson shall return to his/her former position of Pre-Construction Manager at same exact compensation for said position that existed prior to acting designation.

3) Authorize the Chairman to execute correspondence to the Alabama Department of Transportation (ALDOT) appointing the Acting and Interim County Engineer and Acting and Interim Assistant County Engineer, effective May 1, 2023.

After the motion and second, and before the vote, Commissioner Ball noted for the record Item HA2 is also appointing the Interim and Assistant Interim County Engineer positions.

The motion passed by the following vote:

**Aye:** 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 0

**HA3** Agreement for Project No. 0210221/HW21102000 - County Road 65 from Underwood Road to County Road 28 Dirt Road Paving Project - Tracts No. 6, 7, 8, 10 and 11 [23-0996](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to approve an agreement between Baldwin County and Randy Leon Avera, Deborah Joan Avera and Vera Ella Avera to replace and encase an irrigation line, grant a perpetual easement for the property owners to keep, use and maintain the new irrigation line, pave/install asphalt aprons and install right of way monuments showing the County's right of way.

The motion passed by the following vote:

**Aye:** 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 0

## I COMMISSIONER REQUESTS

Resolution #2023-117 - Opposing Any Action by the Alabama Legislature to Create a Fifth Commissioner Position [23-1242](#)

Chairman Gruber read Resolution #2023-117 of the Baldwin County Commission opposing any action by the Alabama Legislature that will create a fifth county commissioner position for the record.

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, to adopt Resolution #2023-117 - A Resolution of the Baldwin County Commission opposing any action by the Alabama Legislature that will create a fifth commissioner position.

After the motion and second, and before the vote, Commissioner Ball explained the Commission is unified in sending a message to the State and he appreciates the



Commission's support in the efforts to kill this bill.

Commissioner Underwood said she does not feel there is a need to add more politicians to government.

The motion passed by the following vote:

**Aye:** 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 0

**J SENIOR STAFF REPORT**

Ron Cink, Budget Director/Interim County Administrator, thanked the Commission and staff, noting his last day will be May 10, 2023.

The Commissioners thanked Mr. Cink for his work for the county over the last 17 years and wished him well in his future endeavors.

Sheriff Mack appeared before the Commission and discussed working with Mr. Cink. Sheriff Mack presented Mr. Cink with an Honorary Deputy Sheriff badge.

Mr. Cink thanked Sheriff Mack and the Commission and said this was a tough decision but he is looking forward to helping Escambia County.

Chairman Gruber thanked Joey Nunnally, County Engineer, for his years of service to the County.

**K COUNTY ATTORNEY'S REPORT**

None.

**L PUBLIC COMMENTS**

None.

**M PRESS QUESTIONS**

None.

**N COMMISSIONER COMMENTS**

The Commissioners provided their closing comments.

**O ADJOURNMENT**

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner James E. Ball, to adjourn the May 2, 2023, Baldwin County Commission Regular meeting at 10:24 a.m.

The motion passed by the following vote:

**Aye:** 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 0

The May 2, 2023, Baldwin County Commission Regular meeting adjourned at 10:24 a.m.

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