

PROCEEDINGS HELD BEFORE THE

BALDWIN COUNTY COMMISSION

(Work Session)

Tuesday, January 8, 2019

The following proceedings were held on this the 8th day of January, 2019, at the Baldwin County Central Annex, Conference Room, 22251 Palmer Street, Robertsdale, Alabama, before Susan C. Andrews, Certified Court Reporter Number 287.

A P P E A R A N C E

COUNTY COMMISSIONERS PRESENT:

Charles F. (Skip) Gruber, Chairman

Billie Jo Underwood

Joe Davis, III

James E. (Jeb) Ball

ALSO PRESENT:

Ron Cink, County Administrator, Administration

Department/Director, Budget/Purchasing

Department

Kim Creech, Clerk/Treasurer, Finance/Accounting

Department

Deidra Hanak, Interim and Acting Director, Personnel

Department

Vince Jackson, Planning Director, Planning

Department

Walt Lindsey, Chief Appraiser, Revenue Commission

Reappraisal Department

Mike Job, Assistant Director, CIS Department

Brian Peacock, Director, CIS Department

Celena Boykin, Planner, Planning and Zoning

Department

Terri Graham, Director, Environmental Management

(Solid Waste) Department

Lisa Sangster, Administrative Support Specialist IV,

Highway Department

Ron Ballard, Director, Juvenile Detention Center

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APPEARANCES (cont.)

ALSO PRESENT (cont.):

- Jessie Peacock, Interim and Acting EMA Director,
Emergency Management Agency
- Kelly Childress, Council on Aging Coordinator
- Joey Nunnally, County Engineer, Highway Department
- David Conner, County Attorney
- Brad Hicks, Conflict Counsel
- Ken Sedlack
- Lesley Williams
- Dawn Lindsey
- Cindy Haber
- Brian Pierce
- Beverly Johnson
- Cliff McCollum, Gulf Coast Media

VIA VIDEOCONFERENCE:

- Wanda Gautney, Purchasing Director,
Budget/Purchasing Department

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28

I N D E X

ELECTED OFFICIALS

A-1 Sale of Vehicles on govdeals.com by the
Baldwin County Revenue Commission Department... 8

BUDGET/PURCHASING

B-1 Competitive Bid #WG17-03A - Provision of Fence
Installation and Repair on County
Right-of-Ways For the Baldwin County
Commission..... 10

B-2 Competitive Bid #WG17-08 - Provision of
Telecommunication Materials For the Baldwin
County Commission..... 10

B-3 Competitive Bid #WG18-43A - Provision For
Rental of Solar Powered Portable Message Signs
For the Baldwin County Commission..... 11

B-4 Competitive Bid #WG19-01 - Annual Generator
Preventive Maintenance Services For the
Baldwin County Commission..... 12

B-5 Competitive Bid #WG19-03 - Labor and
Incidental Materials For Roof Restoration At
the Baldwin County Corrections Center
Administration Building Located in Bay
Minette, Alabama..... 14

B-6 Competitive Bid #WG19-05 - Labor and
Incidental Materials For Roof Restoration At
the Baldwin County Board of Education
Administration Building Located in Bay
Minette, Alabama..... 14

B-7 Competitive Bid #WG19-06 - Labor and
Incidental Materials For Roof Restoration At
the Baldwin County Highway Barn Located in Bay
Minette, Alabama..... 15

B-8 Competitive Bid #WG19-11 - Provision of
Pavement Markers and Bituminous Adhesive For
the Baldwin County Commission..... 16

B-9 Competitive Bid #WG19-12 - Provision of
Janitorial Services For the Baldwin County
Commission..... 17

I N D E X (cont.)

BUDGET/PURCHASING (cont.)

1			
2			
3			
4	B-10	Competitive Bid #WG19-17 - Provision of Police Vehicle Equipment For the Baldwin County Commission.....	17
5			
6	B-11	Competitive Bid #WG19-18 - Provision of Police Vehicle Accessories For the Baldwin County Commission.....	18
7			
8	B-12	Competitive Bid #WG19-19 - Provision of Cooked Meals For the Baldwin County Solid Waste Department.....	18
9			
10	B-13	Competitive Bid #WG19-20 - Provision of Rental Equipment For the Baldwin County Commission....	20
11			
12	B-14	Competitive Bid #WG19-21 - Provision of Off-Site Printing, Mailing and Automated Management of the Baldwin County Probate Renewal Notices.....	20
13			
14	B-15	Project No. BCP 0218017 - Bridge Replacement on Hoyle Bryars Road Over Bushy Creek West For the Baldwin County Commission.....	21
15			
16	B-16	Architectural Services For the Renovation of the Second Floor of the Baldwin County Fairhope Satellite Courthouse.....	22
17			
18	B-17	Lease of One (1) Folder Inserter Machine For the Baldwin County Solid Waste Collections Department.....	33
19			
20	B-18	Purchase and Installation of HVAC System and Control Package At the Baldwin County Corrections Center Located in Bay Minette, Alabama For the Baldwin County Commission.....	34
21			
22	B-19	Quotes For Painting and Replacing the Carpet in the Upstairs District Attorney Offices Located in the Baldwin County Courthouse.....	35
23			
24			
25			
26	C-1	Alabama Forestry Commission - Contract For Prescribed Burn At Mega-Site.....	37
27			
28	C-2	Fiscal Year 2019 Resurfacing Projects - Request For Permission to Advertise Group 1....	39

HIGHWAY

I N D E X (cont.)**HIGHWAY (cont.)**

C-3	J.M. Wood Auction Company, Inc. - Equipment Auction List.....	40
C-4	Proposed Improvements to County Drainage Easement Off County Road 49 Adjacent to Sonoma Ridge Subdivision.....	43
C-5	Stapleton Elementary School - Request to Construct and Pave Parking Lot.....	52
C-6	Stream-Gaging Station on County Road 32 Over Fish River - Gulf of Mexico Energy Security Act (GOMESA) Grant Agreement.....	58

ENVIRONMENTAL MANAGEMENT (SOLID WASTE)

E-1	Baldwin County Solid Waste Uncollectible Residential Accounts.....	81
E-2	Discontinuation of Garbage Pickup and Disposal By the Baldwin County Solid Waste Department in the Corporate Limits of the Town of Loxley.....	82

BUILDING INSPECTION

F-1	Alabama Department of Environmental Management (ADEM) Contractual Agreement - Coastal Program, Fiscal Year 2018-2019.....	83
-----	---	----

PLANNING AND ZONING

G-1	Case No. Z-18041 - Dorgan Property Rezoning....	84
G-2	Case No. Z-18047 - Stapleton Property Rezoning.	87

COUNCIL ON AGING

L-1	Re-Naming of the North Baldwin Council on Aging.....	132
L-2	Vaughn S.A.I.L. Center.....	92

PERSONNEL

O-1	Highway Department (Pre-Construction) - Position Change.....	134
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1
2
3
4
5
6
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8
9
10
11
12
13
14
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16
17
18
19
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22
23
24
25
26
27
28

I N D E X (cont.)

ADMINISTRATION

Q-1 Request From Cindy Haber Center, Inc. to Provide Case Management Services For Mobile County..... 64

Q-2 Baldwin County Coroner's Annual Report - Fiscal Year 2018..... 71

Q-3 Baldwin County Intracoastal Waterway (ICW) Boat Launch Project..... 139

Q-4 Appointed Contract Employees - Considerations Related to Employee Contracts..... 144

Q-5 City of Robertsdale Utilities - Participation in the Neighbors Helping Neighbors Program..... 135

Q-6 Care House, Inc. Transparenting Seminars Schedule For 2019..... 136

ADDENDA

R-1 Highway Area 300 - 2019 Freightliner M2 106 Truck - Specification Change..... 60

R-2 Intersection of County Road 13 and County Road 32..... 78

R-3 J.M. Wood Auction Company, Inc. - Equipment Auction..... 82

R-4 Case No. Z-18054 - Prewett Property Rezoning Request..... 91

R-5 Request For the Use of Baldwin County Central Annex Parking Lot - Sonnenschein Region of the Porsche Clue of America Autocross..... 136

R-6 Request From the Baldwin County Board of Education For Approval on Renovations At the Baldwin County Board of Education Building Located At 2600 Hand Avenue, Bay Minette, Alabama..... 138

R-7 Request For Executive Session..... 151

R-8 Request For Executive Session..... 314

P R O C E E D I N G S

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
Okay. Good morning, everyone. Welcome to the Baldwin
County Commission's work session on Tuesday, January the
8th of 2019. And at this time, I've asked Commissioner
Ball to lead us in the invocation followed by the Pledge
from Commissioner Underwood.

(Commissioner James E. (Jeb) Ball led in prayer.)

(The Pledge of Allegiance was recited.)

A-1 - SALE OF VEHICLES ON GOVDEALS.COM BY THE BALDWIN COUNTY

REVENUE COMMISSION DEPARTMENT

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
All right. Ron.

MR. RON CINK: Good morning, Mr. Chairman --

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
Good morning.

MR. RON CINK: -- and Commissioners. First
item up is A-1, sale of vehicles. Mr. Walt Lindsey.

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
Good morning, Walt.

MR. WALT LINDSEY: I appreciate being first
today. Save some time, especially when I heard
Commissioner Gruber talking about working through lunch.

We are trying to sell four (4) vehicles on the
gov.com sale. We purchased these in 2009. They're the

1 two-door Rangers pickup trucks.

2 That was the first time we had had County vehicles.
3 We had been using personal vehicle and getting mileage.
4 And it was -- We decided that was not the right way to
5 go. We got the Rangers.

6 And then, in the next couple of years, we had
7 several incidents with property owners and appraisers.
8 We have had -- we always have dog bites when we go make
9 inspections occasionally. We had an assault not too long
10 ago. We've had pistols drawn on us.

11 We like to go with two appraisers at all times now.
12 There's not room in the Ranger that has the work box we
13 have to have and two appraisers, so we are getting rid of
14 them.

15 We are now driving -- we got some Escapes a few
16 years ago, Ford Escapes. Those went off the bid list.
17 We got a couple of -- four Jeeps. And the last year I
18 think we bought two or three Explorers, which was about
19 the only thing available.

20 We're real happy with the Explorers. We haven't had
21 good luck with the Jeeps. But, anyway, the Rangers don't
22 work for us, so we're just trying to sell them. And that
23 money goes back into y'all's pot. And I'll be happy to
24 answer any questions.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 All right.

27 COMMISSIONER JAMES E. (JEB) BALL: Consent on
28 that.

1 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 All right. Consent is on that. Thank you, Walt.

4 MR. WALT LINDSEY: Thank you.

5

6 **B-1 - COMPETITIVE BID #WG17-03A - PROVISION OF FENCE INSTALLATION**
7 **AND REPAIR ON COUNTY RIGHT-OF-WAYS FOR THE BALDWIN COUNTY**

8 **COMMISSION**

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

10 All right. Next is Ms. Wanda.

11 All right, Ms. Wanda.

12 MS. WANDA GAUTNEY: Good morning.

13 COMMISSIONER JAMES E. (JEB) BALL: Good
14 morning.

15 MS. WANDA GAUTNEY: I'll try to be quick since
16 I've got two pages full. The first item I have is
17 Competitive Bid WG17-03A, provisions of fence
18 installation and repair on County right-of-ways.

19 This is to extend the bid for an additional
20 twelve (12) months with Warriner Construction at the same
21 bid prices that was awarded on January 17th, 2015. The
22 extension would expire January 17, 2020.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 Okay. Consent?

25 COMMISSIONER JAMES E. (JEB) BALL: Consent.

26 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

27

28 **B-2 - COMPETITIVE BID #WG17-08 - PROVISION OF TELECOMMUNICATION**

MATERIALS FOR THE BALDWIN COUNTY COMMISSION

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

All right. Next.

MS. WANDA GAUTNEY: The next item is
Competitive Bid WG17-08, provisions of telecommunication
materials.

This is to extend the bid for an additional
twelve (12) months at the same prices and terms as
awarded on February the 7th, 2017. The extension will
expire February the 7th, 2020.

COMMISSIONER JAMES E. (JEB) BALL: Consent.

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
Consent?

COMMISSIONER BILLIE JO UNDERWOOD: Consent.

COMMISSIONER JOE DAVIS III: Consent.

**B-3 - COMPETITIVE BID #WG18-43A - PROVISION FOR RENTAL OF SOLAR
POWERED PORTABLE MESSAGE SIGNS FOR THE BALDWIN COUNTY COMMISSION**

MS. WANDA GAUTNEY: The next item is
Competitive Bid WG18-43A, provisions of rental of solar
powered portable message signs.

This is to award the bid to the lowest bidder, C & H
Construction, Services, LLC, at a daily price of four
hundred and fifty dollars (\$450), a weekly rate of a
thousand dollars (\$1,000), a monthly rate of three
thousand, two hundred (\$3,200).

COMMISSIONER JAMES E. (JEB) BALL: Consent.

COMMISSIONER BILLIE JO UNDERWOOD: Consent.

1 COMMISSIONER JOE DAVIS III: Consent.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 Consent. All right.

4

5 **B-4 - COMPETITIVE BID #WG19-01 - ANNUAL GENERATOR PREVENTIVE**

6 **MAINTENANCE SERVICES FOR THE BALDWIN COUNTY COMMISSION**

7 MS. WANDA GAUTNEY: The next item is
8 Competitive Bid WG19-01, annual generator preventative
9 maintenance services.

10 I have a couple of actions we need to take. The
11 first one is to accept the thirty (30) day written
12 termination notice from Taylor Power Systems, Inc.,
13 terminating the contract between Baldwin County
14 Commission and them.

15 The annual generator preventive maintenance services
16 is outlined on Page 3, Section XVIII of our contract for
17 professional and construction services, with the
18 termination date to begin January the 27th of this year.

19 Second, award the bid to the second lowest bidder,
20 Power Systems of Mississippi, as per the attached award
21 listing, and authorize the Chairman to execute the
22 contract as per Code Section 41-16-57(a). The contract
23 with them will be for twenty-four (24) months.

24 Taylor Power Systems, we just awarded that bid on
25 December the 3rd. They signed the contract, and then
26 they sent us a letter and said they just couldn't provide
27 the employees that we needed to do our maintenance. So
28 they sent the letter and asked to be --

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

2 Okay.

3 MS. WANDA GAUTNEY: -- terminated from the
4 contract. So --

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

6 All right. And so --

7 MS. WANDA GAUTNEY: -- we didn't even get
8 started with it before they terminated it.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

10 Yeah. Yeah. But we've got -- at least we got with --
11 The Power Systems of Mississippi does a great job for us,
12 you know. So great.

13 MS. WANDA GAUTNEY: They had our contract for
14 the --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

16 Yeah.

17 MS. WANDA GAUTNEY: -- last three years and
18 they've done an excellent job.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

20 Yeah. So --

21 MS. WANDA GAUTNEY: And there was only a
22 difference of three hundred and twenty dollars (\$320)
23 between Taylor Power Systems and Power Systems of
24 Mississippi's --

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

26 Right.

27 MS. WANDA GAUTNEY: -- bid, so --

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 Okay.

2 MS. WANDA GAUTNEY: -- for the year, so --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

4 Yeah.

5 MS. WANDA GAUTNEY: -- that's not a whole lot
6 of money.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

8 No, it's not.

9

10 **B-5 - COMPETITIVE BID #WG19-03 - LABOR AND INCIDENTAL MATERIALS**

11 **FOR ROOF RESTORATION AT THE BALDWIN COUNTY CORRECTIONS CENTER**

12 **ADMINISTRATION BUILDING LOCATED IN BAY MINETTE, ALABAMA**

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

14 All right. Next.

15 MS. WANDA GAUTNEY: The next item is
16 Competitive Bid WG19-03, labor and incidental materials
17 for roof restoration at the Baldwin County Corrections
18 Center administration building located in Bay Minette.

19 This is to award the bid to the lowest bidder, E.
20 Cornell Malone Corporation, as per the attached award
21 listing, and authorize the Chairman to execute to
22 contract.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

24 Consent?

25 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

26

27 **B-6 - COMPETITIVE BID #WG19-05 - LABOR AND INCIDENTAL MATERIALS**

28 **FOR ROOF RESTORATION AT THE BALDWIN COUNTY BOARD OF EDUCATION**

ADMINISTRATION BUILDING LOCATED IN BAY MINETTE, ALABAMA

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

All right. Next.

MS. WANDA GAUTNEY: The next item is

Competitive Bid WG19-05, labor and incidental material for roof restoration at the Baldwin County Board of Education administration building located in Bay Minette.

This is to award the bid to E. Cornell Malone Corporation as per the attached award listing and authorize the Chairman to execute the contract.

COMMISSIONER JAMES E. (JEB) BALL: Consent.

COMMISSIONER BILLIE JO UNDERWOOD: Consent.

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

Consent.

B-7 - COMPETITIVE BID #WG19-06 - LABOR AND INCIDENTAL MATERIALS**FOR ROOF RESTORATION AT THE BALDWIN COUNTY HIGHWAY BARN LOCATED****IN BAY MINETTE, ALABAMA**

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

All right. Next.

MS. WANDA GAUTNEY: The next item is

Competitive Bid WG19-06, labor and incidental materials for the roof restoration at the Baldwin County Highway Barn located in Bay Minette.

This is to award the bid to the lowest bidder, Porter Roofing Contractors, Inc., in the base bid amount of eight thousand, nine hundred and seventy dollars (\$8,970) with a completion time of thirty (30) days and

1 authorize the Chairman to execute the contract.

2 I have an error in this agenda item on the agenda,
3 and I corrected it. And it will be corrected on the
4 meeting --

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
6 Okay.

7 MS. WANDA GAUTNEY: -- next Tuesday.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 All right. All right. Consent?

10 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

11

12 **B-8 - COMPETITIVE BID #WG19-11 - PROVISION OF PAVEMENT MARKERS**

13 **AND BITUMINOUS ADHESIVE FOR THE BALDWIN COUNTY COMMISSION**

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 All right. Next.

16 MS. WANDA GAUTNEY: The next item is
17 Competitive Bid WG19-11, provisions of pavement markers
18 and bituminous adhesives for the Baldwin County
19 Commission.

20 This is to award the bid, per each category of
21 headings, to the lowest bidders, Vulcan Signs and
22 Ennis-Flint, Inc., as per the attached award listings.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 Okay.

25 COMMISSIONER JAMES E. (JEB) BALL: Consent.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 Consent.

28 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

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B-9 - COMPETITIVE BID #WG19-12 - PROVISION OF JANITORIAL SERVICES

FOR THE BALDWIN COUNTY COMMISSION

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

Next.

MS. WANDA GAUTNEY: The next -- the next item is Competitive Bid WG19-12, provisions of janitorial services.

This is to award the bid to the lowest bidders, Enmon Enterprises, LLC, doing business as Jani-King of Mobile; and TTB, Inc., doing business as Service Master Action Cleaning; and Jazzy Clean Janitorial as per the attached award listing. And this is for various buildings across the county.

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

Okay.

COMMISSIONER BILLIE JO UNDERWOOD: Consent.

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

Consent.

COMMISSIONER BILLIE JO UNDERWOOD: Consent.

B-10 - COMPETITIVE BID #WG19-17 - PROVISION OF POLICE VEHICLE

EQUIPMENT FOR THE BALDWIN COUNTY COMMISSION

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

Next.

MS. WANDA GAUTNEY: The next item is Competitive Bid WG19-17, provisions of police vehicle equipment for the Baldwin County Commission. This is the

1 annual bid that's just to place on the agenda for
2 approval.

3 COMMISSIONER JAMES E. (JEB) BALL: Consent.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 Consent.

6 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

7
8 **B-11 - COMPETITIVE BID #WG19-18 - PROVISION OF POLICE VEHICLE**
9 **ACCESSORIES FOR THE BALDWIN COUNTY COMMISSION**

10 MS. WANDA GAUTNEY: The next item is
11 Competitive Bid WG19-18, provisions of police vehicle
12 accessories. This is an annual bid that's just to place
13 on the agenda for approval.

14 COMMISSIONER JAMES E. (JEB) BALL: Consent.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Consent.

17
18 **B-12 - COMPETITIVE BID #WG19-19 - PROVISION OF COOKED MEALS FOR**
19 **THE BALDWIN COUNTY SOLID WASTE DEPARTMENT**

20 MS. WANDA GAUTNEY: The next item is
21 Competitive Bid WG19-19, provisions of cooked meals for
22 the Baldwin County Solid Waste Department. This is an
23 annual bid that's just to place on the agenda for
24 approval.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

26 Okay.

27 COMMISSIONER JOE DAVIS III: Mr. Chairman, if I
28 could.

1 With regard to those cooked meals, I've eaten there,
2 and I've also eaten at one of our S.A.I.L. sites. Is
3 there any way we can have the quality of the food that's
4 cooked for the Solid Waste Department be at the S.A.I.L.
5 site?

6 COMMISSIONER BILLIE JO UNDERWOOD: Thanks for
7 the humor, Joe.

8 COMMISSIONER JOE DAVIS III: Well, it's the
9 truth.

10 COMMISSIONER JAMES E. (JEB) BALL: That's --

11 COMMISSIONER BILLIE JO UNDERWOOD: I agree.

12 COMMISSIONER JAMES E. (JEB) BALL: -- good.

13 COMMISSIONER JOE DAVIS III: Yeah. It's a
14 comment. It's not necessarily a question. But I'd go
15 eat there every day if I was closer.

16 COMMISSIONER BILLIE JO UNDERWOOD: By the way,
17 that was very good.

18 COMMISSIONER JOE DAVIS III: Oh, it was
19 excellent.

20 COMMISSIONER BILLIE JO UNDERWOOD: Yeah. The
21 ladies that did the cakes and the side dishes --

22 COMMISSIONER JOE DAVIS III: Oh, yeah.

23 COMMISSIONER JAMES E. (JEB) BALL: Consent.

24 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 Consent.

27 COMMISSIONER JOE DAVIS III: Our seniors ought
28 to eat that way.

1 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

2 MS. TERRI GRAHAM: It's for the inmates, not
3 for our employees.

4 COMMISSIONER JOE DAVIS III: Oh.

5 COMMISSIONER JAMES E. (JEB) BALL: It's
6 different meals.

7 COMMISSIONER JOE DAVIS III: I know. Different
8 meal. I'm sorry. I had to make my point.

9

10 **B-13 - COMPETITIVE BID #WG19-20 - PROVISION OF RENTAL EQUIPMENT**

11 **FOR THE BALDWIN COUNTY COMMISSION**

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

13 All right. Next.

14 COMMISSIONER BILLIE JO UNDERWOOD: Next.

15 MS. WANDA GAUTNEY: The next item is
16 Competitive Bid WG19-20, provisions of rental equipment.
17 This is an annual bid that's just to place on the agenda
18 for approval.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

20 Consent.

21 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

22 COMMISSIONER JAMES E. (JEB) BALL: Consent.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

24 Consent.

25

26 **B-14 - COMPETITIVE BID #WG19-21 - PROVISION OF OFF-SITE PRINTING,**

27 **MAILING AND AUTOMATED MANAGEMENT OF THE BALDWIN COUNTY PROBATE**

28 **RENEWAL NOTICES**

1 MS. WANDA GAUTNEY: The next item is
 2 Competitive Bid WG19-21, provisions of off-site printing,
 3 mailing, and automated management of the Baldwin County
 4 Probate renewal notices.

5 This is an annual bid that's just to place on the
 6 agenda for approval.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
 8 Okay.

9 COMMISSIONER JAMES E. (JEB) BALL: Consent.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
 11 Consent.

12 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

13

14 **B-15 - PROJECT NO. BCP 0218017 - BRIDGE REPLACEMENT ON HOYLE**
 15 **BRYARS ROAD OVER BUSHY CREEK WEST FOR THE BALDWIN COUNTY**

16 **COMMISSION**

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
 18 All right. Next.

19 MS. WANDA GAUTNEY: The next item is Project
 20 Number BCP 0218017, bridge replacement on Hoyle Bryars
 21 Road over Brushy Creek West.

22 This is to award the bid to the lowest bidder, Pope
 23 Contracting, Inc., in the bid amount of six hundred and
 24 two thousand, one hundred and seventy-nine dollars and
 25 forty-four cents (\$602,179.44) with a construction time
 26 of a hundred (100) working days, and authorize the
 27 Chairman to execute the contract.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 All right.

2 COMMISSIONER JOE DAVIS III: Consent.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

4 Consent.

5 COMMISSIONER JAMES E. (JEB) BALL: Consent.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

7 Good.

8 MR. JOEY NUNNALLY: Yeah. We're glad to see

9 Chris back in the business.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

11 Yeah.

12 MR. JOEY NUNNALLY: We've been missing him.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

14 Yeah. He's a local person and does a good job.

15 COMMISSIONER JOE DAVIS III: Yeah.

16

17 **B-16 - ARCHITECTURAL SERVICES FOR THE RENOVATION OF THE SECOND**

18 **FLOOR OF THE BALDWIN COUNTY FAIRHOPE SATELLITE COURTHOUSE**

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

20 All right. Next.

21 MS. WANDA GAUTNEY: The next item is

22 architectural services for the renovation of the second

23 floor of the Baldwin County Fairhope Satellite

24 Courthouse.

25 This is to authorize me to solicit a quote for

26 architectural services to renovate the second floor of

27 the Fairhope Courthouse and bring the architect proposal

28 back to the Commission for approval.

1 COMMISSIONER JOE DAVIS III: Mr. Chairman, if I
2 could.

3 And it may just be a schematics sort of thing. But
4 I'm not -- I don't think we're talking about renovating
5 the second floor. I think we're talking about completion
6 of the second floor.

7 Renovation suggests that you've got to tear out a
8 bunch of stuff to put new things in. Everything is there
9 ready to be built.

10 I would also like to be included in the process of
11 design, planning, and decisionmaking regarding the layout
12 of that since that is where my office is.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 Okay.

15 COMMISSIONER JAMES E. (JEB) BALL: I -- and,
16 Mr. Chairman, to add to that, I -- I have also said that,
17 you know, it was the wording of this to the public says
18 that we're -- renovation of the second floor. If we
19 could word that to where it says a portion of the second
20 floor, it sounds better to me.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 Okay.

23 COMMISSIONER JAMES E. (JEB) BALL: But we're
24 not renovating the whole second floor of the -- of that
25 courthouse.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 Well, my understanding was we were going to renovate the
28 whole thing.

1 COMMISSIONER JOE DAVIS III: Well, here again,
2 we're going to complete the whole thing.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 That's what I'm saying. We're completing. I mean, if --
5 when you're completing, that's finishing the whole second
6 floor out.

7 COMMISSIONER JOE DAVIS III: Yeah.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 So it would be, you know -- it would be the whole top
10 floor.

11 COMMISSIONER JOE DAVIS III: Well --

12 COMMISSIONER JAMES E. (JEB) BALL: Not in this
13 request, though. This request is -- is solicitation
14 to -- for what we had talked about with the EDA portion
15 of it. It's just to solicit the --

16 COMMISSIONER JOE DAVIS III: Let me share with
17 you a couple of things that are going on that may or may
18 not be of common knowledge. But I'll be not violating
19 any things that are pertinent to our future.

20 But dealing with our economic development, we have
21 projects that are going on in Fairhope by the City, the
22 University of Alabama, Auburn University, and other
23 organizations that would be able to help us utilize that
24 second area if we designed it in such a way where it was
25 conducive for that.

26 These are projects that I'm not being coy with you.
27 Some of them I don't know all the details on. But the
28 point is the people that move us forward economically do.

1 And being able to take that space that is
2 virtually -- We're talking some electrical and sheetrock
3 and a design where we can utilize that for current use as
4 well as future use.

5 So I'd like the word "completion" to be put in there
6 instead of "renovation." And I would like to be included
7 in the process, whether it's the director or a
8 maintenance person or whomever.

9 I've got numbers that were presented to me a while
10 back. I also have ideas about a layout that would help
11 us short-term and long-term in our economic development.

12 MS. KIM CREECH: I -- I do have a question. In
13 your future, do you -- are you looking at renting the
14 space out to private organizations?

15 COMMISSIONER JOE DAVIS III: Not necessarily,
16 but I wouldn't rule out anything if it was germane to how
17 we get things done.

18 MS. KIM CREECH: We just have to be cautious
19 because how much money we use in warrants tax -- taxable
20 money --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 Uh-huh. (Indicates affirmatively.)

23 MS. KIM CREECH: -- or tax-exempt money that
24 you have to be cautious --

25 COMMISSIONER JOE DAVIS III: Well, I --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 Uh-huh. (Indicates affirmatively.)

28 MS. KIM CREECH: -- to use.

1 COMMISSIONER JOE DAVIS III: Well, I'm of the
2 impression that we have a budget flexibility that allows
3 us to do darn near anything.

4 And so if we put it together -- I know you're going
5 to grunt. But I've been told stuff that suggests that.
6 So if it's in the budget, does that mean it's been
7 line-item budgeted, or do we have money in the budget to
8 provide for this should the four of us decide we want it?

9 That's the kind of distinction that the public asked
10 me about. And that's what I'm trying to share with you.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 Well, what -- what -- what Kim is trying to say is
13 there's some money that's warrant money that was used to
14 build that thing.

15 COMMISSIONER JOE DAVIS III: Uh-huh. (Indicates
16 affirmatively.)

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 And it's just like the Regions Bank. We have that.
19 We've -- we've got -- We had to separate that somehow.

20 COMMISSIONER JOE DAVIS III: Uh-huh. (Indicates
21 affirmatively.)

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Because, you know, the Regions is -- is using some of it.
24 We can't use that warrant money for the -- for that --
25 for Regions there. It has to be completely separate. It
26 has to come under a completely different method --

27 COMMISSIONER JOE DAVIS III: I understand.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 -- you know. And that's what -- that's what Kim is
2 talking about. We're not talking about --

3 COMMISSIONER JOE DAVIS III: That's fine.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 We're not talking about anything else.

6 COMMISSIONER JOE DAVIS III: That's fine.

7 I'm --

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 That's -- that's --

10 COMMISSIONER JOE DAVIS III: I mean, what I'm
11 pointing out is there are several ways for us to skin
12 cats. And we need to be told about what our options are
13 to get them skinned.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 All right. All right. Any other discussion?

16 COMMISSIONER BILLIE JO UNDERWOOD: Was this in
17 connection with the amount of money that we -- that was
18 appropriated in the budget last summer for the office for
19 Senator Elliott, or is this just something different
20 maybe?

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 I -- you know, I -- that question I don't know. I
23 couldn't -- I can't answer, because I don't know nothing
24 about that, you know.

25 I do know that there was money budgeted for that,
26 you know. And that was going to be an inhouse contract
27 for our maintenance folks to work on.

28 COMMISSIONER BILLIE JO UNDERWOOD: That's what

1 I thought. That thirty thousand dollar (\$30,000) figure
2 was in the --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 It was.

5 COMMISSIONER BILLIE JO UNDERWOOD: -- in the --
6 so the previous action date and then -- So that's what I
7 thought we were talking about. I didn't know it was --
8 I've not walked up there and looked at the area, so I'm
9 not sure.

10 COMMISSIONER JOE DAVIS III: Well, the thirty
11 thousand dollars (\$30,000), as I understand it, was what
12 was presented as a way to internally make space for our
13 Senator.

14 COMMISSIONER BILLIE JO UNDERWOOD: Right.

15 COMMISSIONER JOE DAVIS III: What I'm saying
16 is, being in that building now and being responsible, as
17 I see it, for how it's used, with y'all's concurrence,
18 that we have space up there that we could utilize.

19 And while we might want to address the Senator's
20 needs first, we need to have a plan that utilizes that
21 entire space. And I'll be glad to share it with --

22 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
23 So what --

24 COMMISSIONER JOE DAVIS III: -- those of you --

25 COMMISSIONER BILLIE JO UNDERWOOD: So what
26 you're --

27 COMMISSIONER JOE DAVIS III: -- having that as
28 part of the plan.

1 COMMISSIONER BILLIE JO UNDERWOOD: So what
2 you're saying is that we have the space --

3 COMMISSIONER JOE DAVIS III: Uh-huh. (Indicates
4 affirmatively.)

5 COMMISSIONER BILLIE JO UNDERWOOD: -- that far
6 exceeds what the Senator needs?

7 COMMISSIONER JOE DAVIS III: Oh, certainly.

8 COMMISSIONER BILLIE JO UNDERWOOD: I -- and
9 that if we are going to solicit bids for -- This is to
10 solicit bids for what the Senator needs; correct?
11 Because --

12 COMMISSIONER JOE DAVIS III: No. This was to
13 be done --

14 COMMISSIONER JAMES E. (JEB) BALL: That's
15 already done.

16 COMMISSIONER JOE DAVIS III: And it's going to
17 be designed, I think.

18 COMMISSIONER JAMES E. (JEB) BALL: We're not
19 soliciting for this anymore. That's already been voted
20 on and passed.

21 COMMISSIONER BILLIE JO UNDERWOOD: But bids for
22 it, is this --

23 COMMISSIONER JAMES E. (JEB) BALL: Yes.

24 COMMISSIONER BILLIE JO UNDERWOOD: That's what
25 I thought this was.

26 COMMISSIONER JAMES E. (JEB) BALL: Yes. No.

27 COMMISSIONER JOE DAVIS III: No.

28 COMMISSIONER JAMES E. (JEB) BALL: This is for

1 new --

2 COMMISSIONER BILLIE JO UNDERWOOD: No?

3 COMMISSIONER JOE DAVIS III: This is for --

4 COMMISSIONER JAMES E. (JEB) BALL: All right.

5 So this --

6 COMMISSIONER BILLIE JO UNDERWOOD: This is

7 something --

8 COMMISSIONER JAMES E. (JEB) BALL: This part --

9 COMMISSIONER BILLIE JO UNDERWOOD: -- totally
10 new?

11 COMMISSIONER JAMES E. (JEB) BALL: This part
12 should not have even been in this agenda item that talks
13 about that part. What I had requested from Wanda was to
14 solicit quotes.

15 And, in my paragraph, I -- I -- I -- I listed for
16 the purpose for an architect to meet with Lee Lawson to
17 provide some office space up there for EDA.

18 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

19 COMMISSIONER JAMES E. (JEB) BALL: In
20 conjunction with if they are already working on Senator
21 Elliott's office, why not knock out it all out at one
22 time instead of coming back just to save on costs?

23 And I was just throwing an idea out there. It
24 wasn't something that Lee Lawson brought to us. It
25 wasn't something --

26 COMMISSIONER BILLIE JO UNDERWOOD: No. No.

27 No. I'm fine. I misunderstood.

28 COMMISSIONER JAMES E. (JEB) BALL: Right.

1 COMMISSIONER BILLIE JO UNDERWOOD: I thought
2 this was a followup from what was --

3 COMMISSIONER JAMES E. (JEB) BALL: Absolutely
4 not.

5 COMMISSIONER BILLIE JO UNDERWOOD: -- budgeted
6 last summer. This is a -- just a future --

7 COMMISSIONER JOE DAVIS III: My -- my point is
8 for us to look at the entire space. Because where --

9 COMMISSIONER BILLIE JO UNDERWOOD: Got you.

10 COMMISSIONER JOE DAVIS III: -- the committee
11 made the --

12 COMMISSIONER BILLIE JO UNDERWOOD: No need
13 to --

14 COMMISSIONER JOE DAVIS III: -- where his
15 office --

16 COMMISSIONER BILLIE JO UNDERWOOD: I'm good.
17 I'm good.

18 COMMISSIONER JOE DAVIS III: It needs to be
19 part of a bigger plan.

20 COMMISSIONER BILLIE JO UNDERWOOD: I'm good.

21 COMMISSIONER JOE DAVIS III: And that's what
22 I'd like to be a part of.

23 COMMISSIONER BILLIE JO UNDERWOOD: I'm glad
24 we --

25 MS. WANDA GAUTNEY: The --

26 COMMISSIONER BILLIE JO UNDERWOOD: -- cleared
27 that up.

28 MS. WANDA GAUTNEY: The reason I put that in

1 there about Senator Elliott was to let y'all know we
2 already had thirty thousand (\$30,000) budgeted for it --

3 COMMISSIONER JOE DAVIS III: There you go.

4 MS. WANDA GAUTNEY: -- that section. But I'll
5 change the agenda to read architectural services for the
6 completion and design of the second floor --

7 COMMISSIONER JOE DAVIS III: Very good.

8 MS. WANDA GAUTNEY: -- if that's the way you
9 want me to --

10 COMMISSIONER BILLIE JO UNDERWOOD: That might
11 be better.

12 MS. WANDA GAUTNEY: -- to word it. So --

13 COMMISSIONER BILLIE JO UNDERWOOD: Because I
14 did --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Okay.

17 COMMISSIONER BILLIE JO UNDERWOOD: -- misread
18 that. Thank you.

19 MS. WANDA GAUTNEY: Okay.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 All right.

22 MS. WANDA GAUTNEY: Do you want me to take the
23 section about Senator Elliott out as the --

24 COMMISSIONER JAMES E. (JEB) BALL: Yes.

25 COMMISSIONER BILLIE JO UNDERWOOD: I think so.

26 COMMISSIONER JOE DAVIS III: Yes, please.

27 COMMISSIONER JAMES E. (JEB) BALL: And,

28 Ms. Wanda --

1 MS. WANDA GAUTNEY: Okay.

2 COMMISSIONER JAMES E. (JEB) BALL: Ms. Wanda,
3 when does the -- when will the construction start for
4 Senator Elliott's spot?

5 MS. WANDA GAUTNEY: I don't know. That's --
6 that's under --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 That's --

9 MS. WANDA GAUTNEY: -- Building Maintenance.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 -- Building Maintenance.

12 MS. WANDA GAUTNEY: That's not under me.

13 COMMISSIONER BILLIE JO UNDERWOOD: Okay. Okay.
14 Okay. That's okay.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Okay.

17 COMMISSIONER BILLIE JO UNDERWOOD: Thank you.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 All right.

20 COMMISSIONER JAMES E. (JEB) BALL: So we're
21 Consent.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 All right. Consent.

24 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

25 COMMISSIONER JOE DAVIS III: After those
26 adjustments.

27

28 **B-17 - LEASE OF ONE (1) FOLDER INSERTER MACHINE FOR THE BALDWIN**

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COUNTY SOLID WASTE COLLECTIONS DEPARTMENT

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

All right. Next.

MS. WANDA GAUTNEY: The next item is the lease of one (1) folder inserter machine for the Baldwin County Solid Waste Collections Department.

This is to authorize the Chairman to execute the lease agreement with Neopost USA, Inc., Accurate Control, for the lease of one (1) folder inserter machine at the Solid Waste Collections Department for thirty-six (36) months.

The lease agreement is effective upon signing of both parties. And it's off the State of Alabama contract in the amount of nine hundred and nineteen dollars and eighty-six cents (\$919.86) per quarter.

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

All right. Commissioners?

COMMISSIONER BILLIE JO UNDERWOOD: Consent.

COMMISSIONER JOE DAVIS III: Consent.

COMMISSIONER JAMES E. (JEB) BALL: Consent.

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
Consent.

B-18 - PURCHASE AND INSTALLATION OF HVAC SYSTEM AND CONTROL PACKAGE AT THE BALDWIN COUNTY CORRECTIONS CENTER LOCATED IN BAY MINETTE, ALABAMA FOR THE BALDWIN COUNTY COMMISSION

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

All right. Next.

1 MS. WANDA GAUTNEY: The next item is the
2 purchase and installation of an HVAC system and control
3 package for the Baldwin County Corrections Center located
4 in Bay Minette.

5 This is to approve and authorize the Chairman to
6 execute the agreement with Trane USA, Inc., doing
7 business as Trane, for the purchase and installation of
8 an HVAC system and control package at the Baldwin County
9 Corrections Center located in Bay Minette off the U.S
10 Communities Joint Purchase Contract in the amount of five
11 hundred and three thousand, eight hundred and
12 eighty-three dollars (\$503,883) with a completion time of
13 seventy-five (75) days once the equipment is received.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 Okay.

16 COMMISSIONER JOE DAVIS III: Consent.

17 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

18 COMMISSIONER JAMES E. (JEB) BALL: Consent.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 All right.

21
22 **B-19 - QUOTES FOR PAINTING AND REPLACING THE CARPET IN THE**
23 **UPSTAIRS DISTRICT ATTORNEY OFFICES LOCATED IN THE BALDWIN COUNTY**
24 **COURTHOUSE**

25 MS. WANDA GAUTNEY: And the last item I have is
26 quotes for painting and replacing the carpet in the
27 upstairs District Attorney's Office located in the
28 courthouse here in Bay Minette.

1 The first action is to approve the quote and
2 authorize the Purchasing Director to issue a purchase
3 order to Spanish Fort Painting and Construction, LLC, in
4 the amount of eleven thousand, seven hundred and
5 twenty-eight dollars (\$11,728) for painting the interior
6 offices.

7 And, 2, approve the quote and authorize me to issue
8 a purchase order to Delta Flooring in the amount of
9 twelve thousand, nine hundred and thirty-nine dollars
10 (\$12,939) to install -- purchase and install the new
11 carpet for that area.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Okay.

14 MS. WANDA GAUTNEY: And the funding source will
15 be out of Building Maintenance's budget.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 Okay.

18 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Consent?

21 COMMISSIONER JOE DAVIS III: Consent.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 All right. Do you have anything else?

24 MS. WANDA GAUTNEY: And that's all I have.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 Thank you.

27 MS. WANDA GAUTNEY: Thank y'all.

28 COMMISSIONER JAMES E. (JEB) BALL: Thank you.

C-1 - ALABAMA FORESTRY COMMISSION - CONTRACT FOR PRESCRIBED BURN

AT MEGA-SITE

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

Okay. Next.

MR. JOEY NUNNALLY: All right. I think I'm up.

So the first item is C-1. This item is going to be a request from the Alabama Forestry Commission to do a prescribed burn at the megasite.

So the staff recommendation would be to approve a contract with the Alabama Forestry Commission for a prescribed burn of approximately seven hundred and sixteen (716) acres. On the agenda it says seven hundred and twenty-two (722). So they've corrected that to say seven hundred and sixteen (716) --

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

All right.

MR. JOEY NUNNALLY: -- acres at Baldwin County megasite for a total cost not to exceed twelve thousand, eight hundred and thirty-five dollars (\$12,835). This is historically what we do up there just to try to keep the growth down.

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

Uh-huh. (Indicates affirmatively.)

MR. JOEY NUNNALLY: And it's really helped.

So --

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

Yeah.

1 MR. JOEY NUNNALLY: -- we've done it in the
2 past few years. The Alabama Forestry Commission did drop
3 by a contract yesterday for us. But they left out the
4 word "not." So it says total cost of project is to
5 not -- is -- is to exceed. So, anyway, we've made those
6 changes.

7 COMMISSIONER JAMES E. (JEB) BALL: Good.
8 That's a good word to catch.

9 MR. JOEY NUNNALLY: Yeah.

10 COMMISSIONER JOE DAVIS III: Not.

11 MR. JOEY NUNNALLY: So we will -- we'll get
12 that all corrected before you actually take an action on
13 it.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 Okay.

16 MR. JOEY NUNNALLY: So I just wanted to make
17 sure y'all knew that.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 All right.

20 COMMISSIONER JOE DAVIS III: Mr. Chairman, if I
21 could.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Yes.

24 COMMISSIONER JOE DAVIS III: Timingwise and
25 when this occurs, I would ask that you communicate with
26 Mr. Lawson. I know that in the next -- this week and
27 next week, we will be flying over with -- or he and his
28 troops will be flying over with manufacturers and people

1 that are not only looking at the megasite, but looking at
2 other sites within the county. And I think it would be
3 good. I don't think you will be able to get this done
4 within this week or next week.

5 MR. JOEY NUNNALLY: No. Actually, the
6 timeframe in which they'd like to do this is going to be
7 like early spring or --

8 COMMISSIONER JOE DAVIS III: Okay.

9 MR. JOEY NUNNALLY: -- in the March timeframe.

10 COMMISSIONER JOE DAVIS III: Good.

11 MR. JOEY NUNNALLY: And so it's a little --

12 COMMISSIONER JOE DAVIS III: When I saw that
13 and knew of other things going on, I didn't want them to
14 have to be helicoptering through smoke and stuff.

15 MR. JOEY NUNNALLY: Yeah. We're on the same
16 page.

17 COMMISSIONER JOE DAVIS III: There you go.
18 Very good. Thank you.

19 MR. JOEY NUNNALLY: All right.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 Okay. Consent?

22 COMMISSIONER JOE DAVIS III: Yeah. Consent.

23

24 **C-2 - FISCAL YEAR 2019 RESURFACING PROJECTS - REQUEST FOR**
25 **PERMISSION TO ADVERTISE GROUP 1**

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 All right. Next.

28 MR. JOEY NUNNALLY: Item C-2 is going to be the

1 Fiscal Year 2019 resurfacing project, Group 1. As y'all
2 remember, we actually did Group 2 before we did Group 1
3 due to some logistics issues. So this is actually
4 Commission advertised for Group 1.

5 So the staff recommendation would be to take two
6 actions. One is authorize the Purchasing Director to
7 place a competitive bid for the Fiscal Year 2019
8 resurfacing project, Group 1, as the design plans are
9 completed, and authorize the Chairman to execute any
10 project-related documents.

11 This -- these roads are mainly in the north part of
12 the county. This will actually be the completion of
13 County Road 112. Two years ago, we did the southern end.
14 Last year we did the northern end. And now we're -- This
15 is the middle section.

16 So if you've been up through there, you know we've
17 been replacing a lot of the cross drains. So this is --
18 That's just in preparation for this.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Okay.

21 COMMISSIONER JOE DAVIS III: Consent.

22 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 Consent.

25

26 **C-3 - J.M. WOOD AUCTION COMPANY, INC. - EQUIPMENT AUCTION LIST**

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

28 Next.

1 MR. JOEY NUNNALLY: Item C-3 is going to be the
2 J.M. Wood Auction list to approve the sale by auction of
3 the attached list of Highway Department equipment at the
4 J.M. Wood auction facility in Montgomery, Alabama on
5 March 13th through the 16th of 2019.

6 This is something we do annually. We make a list of
7 all the equipment that we need to get rid of. And we
8 actually calculate that into our budgetary numbers.

9 We can go through this item by item if you want.
10 But this list has been gone over many times, including
11 yesterday, very thoroughly, with me and my equipment guy.

12 But the way this works is J.M. Wood gives us a --
13 a -- a guaranteed -- a guaranteed price on -- on the
14 equipment. It normally comes in a lot more than that.
15 But it won't be any less than that.

16 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

17 MR. JOEY NUNNALLY: And then they take a six
18 percent (6%) off the top of that.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Yeah.

21 COMMISSIONER JAMES E. (JEB) BALL: Consent.

22 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 Consent.

25 COMMISSIONER JOE DAVIS III: Mr. Chairman, if I
26 could.

27 Joey, are there organizations that might utilize
28 this equipment that we could consider either offering it

1 to them, or is that routinely taken care of?

2 Are there any -- And I'm not sure what I'm thinking
3 of other than like the Boys Ranch or then Cities or other
4 entities that might utilize some of the kinds of
5 equipment. Do we routinely communicate with them when we
6 have this?

7 MR. JOEY NUNNALLY: Routinely communicate, I
8 don't know. Everybody knows we do this.

9 COMMISSIONER JOE DAVIS III: Okay.

10 MR. JOEY NUNNALLY: And -- and we do
11 periodically get requests. Like we -- last year we got a
12 request from the Forestry Commission for a truck --

13 COMMISSIONER JOE DAVIS III: Uh-huh. (Indicates
14 affirmatively.)

15 MR. JOEY NUNNALLY: -- that -- that we are
16 going to give them. We haven't given it to them yet.
17 But we -- we are actually going to give it to them. I
18 think actually it's one of Mike Howell's, the one he's
19 turned in.

20 And then, of course, other departments, like us and
21 Solid Waste, transfer equipment --

22 COMMISSIONER JOE DAVIS III: Okay.

23 MR. JOEY NUNNALLY: -- sometimes back and
24 forth. Actually, one of the equipment items that are on
25 this list is an old knuckle boom truck that she gave us.
26 And we've used it for a few years. It's got -- and it's
27 finally got about three hundred thousand (300,000) miles
28 on it, and it's wearing out. So --

1 COMMISSIONER JOE DAVIS III: Okay.

2 MR. JOEY NUNNALLY: So we do that stuff
3 internally a lot, externally with other departments,
4 periodically.

5 COMMISSIONER JOE DAVIS III: Okay.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 Okay.

8

9 **C-4 - PROPOSED IMPROVEMENTS TO COUNTY DRAINAGE EASEMENT OFF**
10 **COUNTY ROAD 49 ADJACENT TO SONOMA RIDGE SUBDIVISION**

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 All right. Next.

13 MR. JOEY NUNNALLY: Okay. Item C-4, this is
14 going to be proposed improvements to the County drainage
15 easement off of County Road 49, adjacent to Sonoma Ridge
16 Subdivision. So we do have some people here to speak on
17 that behalf.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Okay.

20 MR. JOEY NUNNALLY: I will -- if you give me
21 the liberty a little bit, I'll kind of give you a little
22 history. I know Commissioner Gruber is very familiar
23 with this.

24 This came in front of the Road and Bridge last year.
25 And it's -- it's a little bit of a drainage issue that
26 we've been dealing with and battling for a while.

27 I did speak with the engineer yesterday. And he has
28 actually asked to pull this item for an action today;

1 okay? So he -- We won't -- We'll bring it back --

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 Okay.

4 MR. JOEY NUNNALLY: -- for future things. But

5 I want -- I'll go ahead and just kind of briefly

6 describe --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

8 Okay.

9 MR. JOEY NUNNALLY: -- what the issues is. And

10 if -- Mr. Sedlack, is that correct?

11 MR. KEN SEDLACK: That is correct, yes.

12 MR. JOEY NUNNALLY: If Mr. Sedlack wants to

13 talk, we'll give -- we'll give him the opportunity to

14 talk.

15 MR. KEN SEDLACK: Excuse me.

16 MR. JOEY NUNNALLY: Let -- let me -- let me go

17 through it quickly --

18 MR. KEN SEDLACK: Okay.

19 MR. JOEY NUNNALLY: -- and then you can follow

20 up.

21 MR. KEN SEDLACK: Sure.

22 MR. JOEY NUNNALLY: Okay. So -- so this is

23 the -- this is the Sonoma Ridge Subdivision. I think

24 Mr. Sedlack's house is -- is here.

25 MR. KEN SEDLACK: Uh-huh. (Indicates

26 affirmatively.)

27 MR. JOEY NUNNALLY: This is the drainage

28 easement that the County owns here. And it falls out

1 back to the south this way. This is the drainage area
2 that comes to this one easement. It's about thirteen
3 hundred (1,300) acres, which is about two square miles.

4 MR. KEN SEDLACK: Correct.

5 MR. JOEY NUNNALLY: Back on October the 22nd of
6 2017, we had about three-point-one (3.1) inches of rain
7 in one hour, which is a pretty heavy rain event. It's
8 about a ten-year event. And this is just some
9 engineering rain curve data that -- just to show you that
10 it was a pretty significant rain event.

11 These are some pictures of just -- houses just north
12 of Mr. Sedlack's house. And -- and these are -- these --
13 we got these actually from the City of Silverhill. They
14 actually took these picture and sent them to us.

15 Next. That's the same house after the rain event.
16 That's Channel 15 in the background.

17 MR. KEN SEDLACK: Uh-huh. (Indicates
18 affirmatively.)

19 MR. JOEY NUNNALLY: This is another house just
20 north of Mr. Sedlack's house. And that's what it looked
21 like on October the 22nd.

22 This is a house just south of Mr. Sedlack's house on
23 the -- on the east side of the road. If you -- Go back
24 one. If you'll notice this column here, this will kind
25 of give you a good reference point. That's that same
26 column.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 It's about halfway up it.

1 MR. JOEY NUNNALLY: Yeah. And that's the same
2 house. This is you're standing at the house now looking
3 back towards those columns. And that's the road out
4 there. So those three houses never got water in the
5 house, but threatened. Mr. Sedlack's house actually had
6 water in the house.

7 MR. KEN SEDLACK: About eighteen (18) inches.

8 MR. JOEY NUNNALLY: And we didn't have any good
9 pictures of your house.

10 MR. KEN SEDLACK: No.

11 MR. JOEY NUNNALLY: But I -- but I do -- did
12 know that it got in the house. So Jay Construction is
13 working on Phase II of the Sonoma Ridge, which is the
14 development of this area here with -- with additional
15 lots and additional houses, which obviously there'll be a
16 pond in this area, which drains back into this drainage
17 ditch and eventually out through here.

18 In this area right here is owned -- I think this is
19 actually farmed and owned by Mr. Sphinx. There's --
20 there's a berm that he's created at this location.

21 He's done a lot of work in this area. You -- if you
22 go back on Google Earth, you can see where it used to be
23 very, very wooded. It's now kind of cleared, and he's
24 got some nice-looking ponds in that area.

25 But he's actually bermed this up at this location.
26 That berm is causing us a problem. And it's obviously
27 causing some issues upstream. And so I've been
28 communicating with Jay, Trey Jinright --

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
2 Jinright, uh-huh. (Indicates affirmatively.)

3 MR. JOEY NUNNALLY: -- who I was on the phone
4 with yesterday for a lot of time about this berm and
5 about trying to get this berm removed in order to do --
6 before anything starts up there. Now, he's ready to go
7 to work up here. So -- so I just wanted y'all to know
8 what the issues were.

9 And, Mr. Sedlack, I -- I've -- that's -- I've kind
10 of -- I don't think there's any more slides.

11 MS. LISA SANGSTER: One picture.

12 MR. JOEY NUNNALLY: There's one more? Oh,
13 yeah. Okay. That's the picture of the berm. So the
14 ditch is over here trying to drain this way in the ponds.
15 And it's -- He's built this berm and is driving across
16 it. Is that it? That's the last one?

17 MS. LISA SANGSTER: This.

18 MR. JOEY NUNNALLY: That's just a picture of
19 the ponds.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 I think we've seen these before, haven't we?

22 MR. JOEY NUNNALLY: Yes.

23 COMMISSIONER BILLIE JO UNDERWOOD: That's at
24 the Road and Bridge?

25 MR. JOEY NUNNALLY: Yes. I did go through this
26 at the Road and Bridge, just to kind of bring it to
27 everybody's attention.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 Okay. Yeah.

2 MR. JOEY NUNNALLY: And -- but now that
3 there's -- this development is coming in, Phase II of
4 this development is coming in, it's cropped back up
5 again.

6 So, Mr. Sedlack, I -- The floor is yours if you want
7 to --

8 MR. KEN SEDLACK: If I may.

9 MR. JOEY NUNNALLY: Sure. Go ahead.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 Good morning, Mr. Sedlack.

12 MR. KEN SEDLACK: I think after all is said and
13 done, when they get through with the subdivision and the
14 drainage ditch, you know, from what I've seen or heard --
15 but I do have a problem with during the construction.

16 This is my property. This line -- And this has all
17 been cleared out down there. And there's going to be a
18 new construction entrance here at this point.

19 So I'm thinking it's right adjacent to my property
20 where those cement trucks, dump trucks, brick trucks,
21 construction people in and out every day.

22 I don't know if that's going to be an elevated
23 roadway that they're going to put in there. Because if
24 it is, all the water coming through this subdivision
25 through my property is going to stop right there and back
26 up.

27 And if they put a turbidity barrier on that property
28 line, that's even going to further worsen the water flow

1 on it, because all of this water flows east and then
2 south to this corner right here.

3 So my problem is, is, you know, if -- if they can
4 below grade that road, I don't know if it's going to be
5 gravel, dirt, or whatever, you know. Then that would
6 help my drainage problem.

7 MR. JOEY NUNNALLY: Okay.

8 MR. KEN SEDLACK: But if -- if it's above grade
9 and they put a turbidity curtain there --

10 MR. JOEY NUNNALLY: It's going to make it
11 worse.

12 MR. KEN SEDLACK: -- the water is just going to
13 back up; okay?

14 MR. JOEY NUNNALLY: So just -- just so y'all
15 know, the -- the preliminary plan sets for all this
16 development is to improve this County-owned ditch; okay?
17 This ditch now is currently kind of narrow, and it
18 doesn't carry a lot of water.

19 They're talking about widening it out, sloping it,
20 and then maybe even paving it with concrete to carry some
21 water a little quicker. This area he's referring to
22 here -- It's this green space -- is wooded. And --

23 MR. KEN SEDLACK: Not anymore.

24 MR. JOEY NUNNALLY: They -- It was wooded.
25 They've taken the trees down now. They're actually going
26 to make that a large retention pond.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 Okay.

1 MR. JOEY NUNNALLY: Okay. So -- But --

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 Along with the one that's in this? Is that a -- one in
4 the center there? Is that --

5 MR. JOEY NUNNALLY: Yes.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

7 -- a retention pond?

8 MR. JOEY NUNNALLY: This is the retention pond
9 for Phase I.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

11 Okay.

12 MR. JOEY NUNNALLY: This will be a retention
13 pond.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

15 Okay.

16 MR. JOEY NUNNALLY: And then there'll be
17 another one back here as well.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

19 Okay.

20 MR. JOEY NUNNALLY: So this -- this -- this
21 area here is going to be a temporary construction
22 easement for all the traffic, to -- to -- to build this
23 out so they don't have to take all the trucks through the
24 neighborhood.

25 And -- and we'll work with -- Bill Patterson is
26 actually the contractor that's doing it. And --

27 MR. KEN SEDLACK: I -- I found that out, you
28 know, from the two crew members he had out here clearing

1 the land.

2 MR. JOEY NUNNALLY: Yeah.

3 MR. KEN SEDLACK: The only thing, I -- I don't
4 understand why they're putting that entrance right next
5 to my property when they could move it over to the ditch,
6 you know, the drainage ditch, you know, a little bit
7 more.

8 Then they could do whatever, you know, and maybe put
9 a culvert underneath the road so that water will flow
10 underneath that construction road into that drainage
11 ditch.

12 MR. JOEY NUNNALLY: It very well -- it very
13 well may could be. And I'll --

14 MR. KEN SEDLACK: Yeah.

15 MR. JOEY NUNNALLY: I'll -- I'll talk with Bill
16 about it.

17 MR. KEN SEDLACK: See what he's got. Yeah.

18 MR. JOEY NUNNALLY: I -- I will. I'll work
19 with you on that. I'll work with him on that. And it
20 very well may be that he just needs to add a couple of
21 pipes under that temporary road until he tears it out.

22 MR. KEN SEDLACK: That would --

23 MR. JOEY NUNNALLY: So --

24 MR. KEN SEDLACK: That would help a lot. Yeah.

25 MR. JOEY NUNNALLY: Okay.

26 MR. KEN SEDLACK: And, especially, this is
27 going to go on for two or three years now.

28 MR. JOEY NUNNALLY: It may be there a while,

1 yes, sir.

2 MR. KEN SEDLACK: I'm going to have a lot of
3 vehicles.

4 MR. JOEY NUNNALLY: Okay.

5 MR. KEN SEDLACK: All right.

6 MR. JOEY NUNNALLY: So no --

7 MR. KEN SEDLACK: Thank you.

8 MR. JOEY NUNNALLY: Yeah. No problem. No
9 action needed on your part at this point in time.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 All right. So then we'll scratch this one right now?

12 MR. JOEY NUNNALLY: Yes, sir. No --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 Okay.

15 MR. JOEY NUNNALLY: -- action needed on that
16 one.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 All right.

19

20 **C-5 - STAPLETON ELEMENTARY SCHOOL - REQUEST TO CONSTRUCT AND PAVE**

21 **PARKING LOT**

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 All right. Next.

24 MR. JOEY NUNNALLY: So Item C-5 is going to be
25 the Stapleton Elementary school request to construct a
26 paved parking lot.

27 The School Board actually had called me a while back
28 on this one. And so this is -- this is the Stapleton

1 school here. That little school is growing. The whole
2 little area has been growing.

3 But the kids -- The school is getting a little dizzy
4 and a little overwhelmed with parking. Parking has
5 become an issue. So they've started overflowing parking
6 in this area here, which is -- actually belongs to this
7 church.

8 So the School Board reached out and said, hey,
9 can -- you know, can y'all pave this parking lot for us?
10 And I was like, no, we can't pave the parking lot because
11 it's on private property. It belongs to the church.

12 And -- and so working through this, we -- I
13 basically told them, look, if y'all can work with the
14 church, if the School Board can work with the church in
15 order to get clear ownership of title to that area, well,
16 then we might be able to go in there and pave it, if the
17 Commission approves us to do that.

18 So Mr. Brad Hicks has been working with the School
19 Board on getting clear ownership.

20 ATTORNEY BRAD HICKS: Well, it's -- it's not
21 ownership. It's a ten-year lease --

22 MR. JOEY NUNNALLY: A --

23 ATTORNEY BRAD HICKS: -- with renewable
24 ten-year terms. And, so --

25 MR. JOEY NUNNALLY: Okay.

26 ATTORNEY BRAD HICKS: -- because there's a
27 contractual right for the school to have use of the
28 property, we -- we can pave it under Alabama law.

1 MR. JOEY NUNNALLY: So -- so -- so --

2 ATTORNEY BRAD HICKS: Yeah. We're not -- we're
3 not -- The School Board is not buying the property. But
4 there is a written, executed lease that I've reviewed
5 that -- that could be as much as twenty (20), thirty (30)
6 years that satisfies the requirements of Alabama law.

7 MR. JOEY NUNNALLY: Okay. So -- so I just
8 wanted to make sure we weren't doing anything wrong, so I
9 had Brad's help with that.

10 And he's been a big help with that. So -- so the
11 School Board -- so the parking -- the -- this -- this
12 lease will actually belong to the School Board.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 Uh-huh. (Indicates affirmatively.)

15 MR. JOEY NUNNALLY: And -- and, with the
16 Commission's approval, we can go in and pave the parking
17 lot for them to give some additional parking.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 And we've -- The -- the church is willing to give us so
20 that we're not liable, you know, if something else
21 happens there, you know, indemnity, you know --

22 ATTORNEY BRAD HICKS: Well, the --

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 -- you know --

25 ATTORNEY BRAD HICKS: The --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 -- something in that. Yeah.

28 COMMISSIONER BILLIE JO UNDERWOOD: It'll be in

1 the lease.

2 ATTORNEY BRAD HICKS: The lease is between the
3 board and the --

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 Yeah.

6 ATTORNEY BRAD HICKS: -- the church.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 Yeah. I just, you know -- you know --

9 ATTORNEY BRAD HICKS: Yeah.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 I didn't you want us, you know, to get caught up in
12 something, you know, if something happened on there --

13 ATTORNEY BRAD HICKS: Yeah.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 -- and we get -- we drug -- we get drug into it, you
16 know. We don't mind working with the School Board doing
17 that.

18 ATTORNEY BRAD HICKS: Uh-huh. (Indicates
19 affirmatively.)

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 But, you know, we just need something, you know, saying
22 yes, you know, we're, you know, are -- are covered
23 with -- with the School Board somehow, you know, that we
24 can be --

25 ATTORNEY BRAD HICKS: Yeah.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 -- liabilitywise.

28 ATTORNEY BRAD HICKS: Yeah. The -- the lease

1 has an indemnity provision.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 Oh, does it? Okay. Right. That -- well, that's good.

4 All right.

5 COMMISSIONER BILLIE JO UNDERWOOD: So this'll

6 be where the School Board uses it during school --

7 ATTORNEY BRAD HICKS: Yeah.

8 COMMISSIONER BILLIE JO UNDERWOOD: -- time and

9 the church still uses it when the church -- when the

10 church is there?

11 ATTORNEY BRAD HICKS: That's right. The church

12 can use it.

13 COMMISSIONER BILLIE JO UNDERWOOD: So it's a

14 dual purpose. So that's common in areas where there's

15 not enough space. And it looks like there's a cemetery

16 behind there; right?

17 ATTORNEY BRAD HICKS: That's what it looks

18 like, yes.

19 MR. JOEY NUNNALLY: It is.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

21 Yeah.

22 COMMISSIONER BILLIE JO UNDERWOOD: Okay. So

23 they're really -- Okay. So that's -- I always like when

24 you can use dual purposes like that.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

26 Uh-huh. (Indicates affirmatively.)

27 COMMISSIONER BILLIE JO UNDERWOOD: So that's

28 great.

1 MR. JOEY NUNNALLY: So to -- When we was
2 communicating with the School Board, we asked -- asked
3 them to send us a letter from the superintendent --

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 Uh-huh. (Indicates affirmatively.)

6 MR. JOEY NUNNALLY: -- for their request. They
7 actually --

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 Did one.

10 MR. JOEY NUNNALLY: That letter is attached to
11 the agenda. And it says we would appreciate it if the
12 Commission would consider contributing the County's
13 equipment and labor to come onsite and do the work.

14 So they're going to buy all the materials, because
15 just from a legal standpoint, that's what they have to
16 do. We can -- at you -- at your request or at your
17 approval, we can donate the equipment and the labor, or
18 we can donate the equipment and then ask them to
19 reimburse us for the labor.

20 But they've asked for both. So I just wanted to
21 make sure y'all knew what -- what the request was that
22 was in front of you.

23 ATTORNEY DAVID CONNER: Mr. Chairman, just for
24 the record, the reason Brad is here is that Rebecca
25 Gaines, from my office, is a member of that church --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 Uh-huh. (Indicates affirmatively.)

28 ATTORNEY DAVID CONNER: -- and is also on the

1 church board and council. And so just to avoid any
2 appearance of conflicts of interest, we thought it was --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 Okay.

5 ATTORNEY DAVID CONNER: -- better to ask Brad.

6 MR. JOEY NUNNALLY: I'm sorry, David. I should
7 have said that.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 All right.

10 ATTORNEY DAVID CONNER: That's all right.

11 MR. JOEY NUNNALLY: Okay. So -- so the -- the
12 request in front of you today then is for -- to -- to
13 approve the -- the donation of equipment and labor with
14 the School Board paying for the material.

15 COMMISSIONER BILLIE JO UNDERWOOD: I'm okay
16 with that.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 Okay. Consent?

19 COMMISSIONER BILLIE JO UNDERWOOD: I'm Consent.

20 COMMISSIONER JOE DAVIS III: (Indicates
21 affirmatively.)

22

23 **C-6 - STREAM-GAGING STATION ON COUNTY ROAD 32 OVER FISH RIVER -**

24 **GULF OF MEXICO ENERGY SECURITY ACT (GOMESA) GRANT AGREEMENT**

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 All right. Next.

27 MR. JOEY NUNNALLY: All right. Thank you. All
28 right. Item C-6, this is a stream-gauging station on

1 County Road 32 over Fish River using the Gulf of Mexico
2 Security Act, better known as GOMESA, grant agreement.

3 Mr. Conner has got some concerns over this one. We
4 might need to discuss that.

5 ATTORNEY DAVID CONNER: Mr. Chairman, there's a
6 couple of items in -- in here that I think we should
7 discuss in executive session, if that's possible.

8 We have an executive session that we need to do
9 toward the end of the meeting. So if you'd like to hold
10 this item to discuss further at that time, I think that
11 would be appropriate.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Okay.

14 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Okay. All right. Okay.

17 COMMISSIONER JAMES E. (JEB) BALL:
18 Mr. Chairman, I was going to ask you something before we
19 move through the rest of all of this. I was going to see
20 if we could get Ms. Haber and Brian --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 Oh.

23 COMMISSIONER JAMES E. (JEB) BALL: -- Pierce
24 out of here.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 Okay. All right. Yeah. We can do that.

27 COMMISSIONER JAMES E. (JEB) BALL: Yeah.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 Yeah.

2 Joey, did you have anything else?

3 MR. JOEY NUNNALLY: I -- I've got one on.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

5 Okay. Well --

6 COMMISSIONER BILLIE JO UNDERWOOD: That's a
7 favor. We're not trying to kick you out. And you're
8 welcome to stay.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 Can we finish? You've got one -- about one more?

11 MR. JOEY NUNNALLY: I've got --

12 COMMISSIONER JAMES E. (JEB) BALL: Oh, you've
13 got an addendum.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 Okay.

16 MR. JOEY NUNNALLY: I -- I do. I've got one
17 addendum.

18 COMMISSIONER JAMES E. (JEB) BALL: I'm just --
19 Before you -- I mean, before we get --

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 Before we get -- Okay. Okay.

22 COMMISSIONER JAMES E. (JEB) BALL: Before we
23 went to another one --

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 We'll be right with you. He's -- Yeah.

26

27 R-1 - HIGHWAY AREA 300 - 2019 FREIGHTLINER M2 106 TRUCK -

28 SPECIFICATION CHANGE

1 MR. JOEY NUNNALLY: I've got one quick thing
2 that's not too bad. All right. So this is going to be
3 Highway Area 300, 2019 Freightliner M2 106 truck
4 specification change.

5 What happened with this one is when we ordered the
6 original 2019 Freightliner M2, it got ordered as a
7 regular cab instead of a crew cab. And that was a
8 mistake on our end.

9 So this is basically changing the specifications to
10 put a crew cab on it, which would make our crews a lot
11 more efficient.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Uh-huh. (Indicates affirmatively.)

14 MR. JOEY NUNNALLY: I talked with Wanda about
15 it. She just said that she would prefer that the
16 Commission approve that change.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 Okay.

19 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

20 MR. JOEY NUNNALLY: It's an additional cost of
21 about six thousand dollars (\$6,000). It's going to keep
22 us from having to take two or three vehicles out there
23 instead of, you know --

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 Yeah.

26 MR. JOEY NUNNALLY: -- just one vehicle. So
27 it's not a big deal. But -- but I just wanted to make
28 sure we had our i's dotted and our t's crossed.

1 COMMISSIONER BILLIE JO UNDERWOOD: We got it.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 The one that's being -- that this is replacing was a
4 four-door.

5 MR. JOEY NUNNALLY: It was.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

7 Yeah. So --

8 COMMISSIONER JAMES E. (JEB) BALL: Consent on
9 that.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

11 Yeah. Okay.

12 COMMISSIONER JOE DAVIS III: Yes.

13 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

14 COMMISSIONER JOE DAVIS III: Consent.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

16 All right.

17 MR. JOEY NUNNALLY: Okay.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

19 Okay.

20 MR. JOEY NUNNALLY: And that's it.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

22 All right. Okay. Let's see now.

23 ATTORNEY BRAD HICKS: Mr. Chairman, I'm sorry
24 to interrupt.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

26 Yeah.

27 ATTORNEY BRAD HICKS: I was about to leave, but
28 I saw that there is a Q-3 item on the intercoastal boat

1 launch project. I wasn't under the impression that I
2 needed to stay and talk about that. But before I left, I
3 just want to make sure y'all don't need me, okay?

4 COMMISSIONER BILLIE JO UNDERWOOD: Well, ask
5 them.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 Well, I think --

8 ATTORNEY BRAD HICKS: Nobody has asked me to be
9 here for it. But -- All right.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 Okay.

12 ATTORNEY BRAD HICKS: Y'all have a good one.

13 MR. RON CINK: I was trying to wait. You guys
14 discussed it yesterday.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Yeah. Yeah. So, basically, you know --

17 COMMISSIONER JOE DAVIS III: We just kind of
18 need an update, I think.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Yeah. Which is -- is -- it's basically an update. Yeah.

21 ATTORNEY BRAD HICKS: But you don't need me for
22 that?

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 I don't think so, no, no. I don't think so.

25

26 (Conflict Counsel Attorney Brad Hicks left the Baldwin County
27 Commission Work Session.)

28

1 COMMISSIONER BILLIE JO UNDERWOOD: He's
2 running.

3 MR. JOEY NUNNALLY: Yeah. I think he's got
4 court.

5

6 **Q-1 - REQUEST FROM CINDY HABER CENTER, INC. TO PROVIDE CASE**
7 **MANAGEMENT SERVICES FOR MOBILE COUNTY**

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 Okay. All right. Let's go to Q-1, please.

10 MS. CINDY HABER: Hey. I'm Cindy Haber. And
11 our agency used to be the MRDD Board and now it's the
12 Cindy Haber Center. I've worked forty-one (41) years.
13 So -- And I fixing to retire. So -- And Dawn is going to
14 be our new director. She's been with us nineteen (19)
15 years. So we are very excited. But we are thankful to
16 this county. Baldwin County is a great place.

17 And we started with -- We separated case management
18 in 1994, from Baldwin County Mental Health. You know, we
19 used to all be one big conglomerate together, and it
20 separated.

21 And it proved to be a very good thing, because we've
22 become very specialized. We work with people with
23 intellectual disabilities. The old word use to be mental
24 retardation, which is a no-no today, and as a Medicaid
25 waiver.

26 Many of our people go to programs like the ARC of
27 Baldwin County, Dawn House, Volunteers of America.
28 Currently in Baldwin County we service about two hundred

1 and twenty-five (225), and we do the case management. We
2 keep them eligible for the Medicaid waiver.

3 In 1996, we added -- we merged with Clarke County.
4 We brought them into ours. And that has been a very
5 positive venture. What it's does is it kind of brings a
6 little revenue into our agency. It gives us, you know --
7 It's a -- You do -- you do generate some revenue from
8 adding case management.

9 And then about eight years ago, Washington County,
10 they were under AltaPointe at that time, and they decided
11 they wanted to merge with us. And so they merged with
12 us. And they have a caseload of about thirty (30) or
13 thirty-five (35) people that we do the case management
14 on.

15 And about six weeks ago, Tuerk Schlesinger with
16 AltaPointe, which used to be Mobile Mental Health -- And
17 they merged with Baldwin County Mental Health several
18 years back -- he called me and asked me if we would be
19 interested in coming to Mobile County and performing case
20 management in that county.

21 For individuals, that's five hundred and sixty (560)
22 people that they service over there. And we're very
23 interested in it. We see that it can bring revenue to
24 our agency. It can get us at a more -- I think we'd be a
25 very stable agency.

26 I hear -- sometimes when I go to Montgomery, I'll
27 hear people in North Alabama say three of us could get
28 together and just take over the whole state, you know,

1 just kind of, you know, come and take y'all over.

2 And we kind of let them know that we're very capable
3 in Baldwin County managing our services, and we really
4 don't need any assistance to do that.

5 But -- but I think it's a great opportunity for
6 Baldwin. I think it'll get us stabilized. We have about
7 twenty-five (25) staff total. It just kind of will give
8 our agency a lot of stability. And it'll give us a
9 little -- a little more voice, I think, in Montgomery.

10 You know, we'd be a pretty large enough agency.
11 We'll probably service -- In Baldwin, we serve two
12 hundred (200). In Clarke, we serve about sixty (60). In
13 Washington, we serve about thirty (30), thirty-five (35).
14 So we -- we're right at three hundred (300) now. So it
15 would kind of make us much stability in the county.

16 So we ask for your support in approving this so we
17 can do service in Mobile County. And I'm going to
18 introduce Dawn Lindsey. She's the new director that's
19 coming on.

20 MS. DAWN LINDSEY: And, yes, and we had just
21 had the retirement party for Cindy. And then two days
22 later, we're asked to take on Mobile County. And I had
23 just been hired.

24 But, no, she's been a great mentor. But, yeah, we
25 are definitely in agreement that we have a lot of
26 expertise in the field, and a lot of years, not much
27 turnover. So we're very excited to be able to move into
28 Mobile County and be able to provide services for people,

1 and get the needs met.

2 MS. CINDY HABER: We don't have much turnover.
3 She's right. Mobile County is having a lot of turnover
4 with case managers. I just think we have a good system,
5 and our system is effective, and it works. And we're
6 both from Baldwin County, born and raised. So --

7 COMMISSIONER JOE DAVIS III: Mr. Chairman --

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 Yeah. So what do -- Cindy, what do we really need to do?
10 You just need a letter from us --

11 MS. CINDY HABER: I do.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 -- basically?

14 MS. CINDY HABER: I need a resolution and --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 A resolution.

17 MS. CINDY HABER: -- get the approval of that.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Okay.

20 MS. CINDY HABER: And we just need approval of
21 that.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Okay. All right. Commissioners, any other questions?

24 COMMISSIONER BILLIE JO UNDERWOOD: I had a
25 question.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 Okay.

28 COMMISSIONER BILLIE JO UNDERWOOD: If we put

1 something on Consent agenda, and I had -- I haven't had
2 an answer back --

3 ATTORNEY DAVID CONNER: I got -- I got you.

4 COMMISSIONER BILLIE JO UNDERWOOD: You have my
5 answer?

6 ATTORNEY DAVID CONNER: On -- on this item, as
7 it relates to -- Your sister serves on the -- on the
8 board.

9 COMMISSIONER BILLIE JO UNDERWOOD: Right.

10 ATTORNEY DAVID CONNER: And she's an unpaid
11 position.

12 COMMISSIONER BILLIE JO UNDERWOOD: Uh-huh.
13 (Indicates affirmatively.)

14 ATTORNEY DAVID CONNER: So at that point in
15 time, there's -- there's an Attorney General's opinion
16 out there that says that if it's not a direct benefit to
17 a person on the board --

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Yeah. It's --

20 ATTORNEY DAVID CONNER: -- that -- that there's
21 no -- there's no conflict, per se.

22 COMMISSIONER BILLIE JO UNDERWOOD: Wonderful.

23 ATTORNEY DAVID CONNER: Now, I do think, as it
24 relates to this item, you have to look at each one.
25 Because what we're talking about here is not an increase
26 in funding for the board or anything. It's just an
27 administrative function amended the Articles of
28 Incorporation --

1 COMMISSIONER BILLIE JO UNDERWOOD: Uh-huh.

2 (Indicates affirmatively.)

3 ATTORNEY DAVID CONNER: -- to allow them to go
4 into the Mobile County jurisdiction.

5 COMMISSIONER JOE DAVIS III: Right.

6 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

7 ATTORNEY DAVID CONNER: So as it relates to
8 this item, under that Attorney General's opinion, I think
9 we're okay.

10 COMMISSIONER BILLIE JO UNDERWOOD: All right.

11 ATTORNEY DAVID CONNER: If additional things
12 come forward and we have to address that -- And one --
13 that's one of the things I was going to talk to you after
14 this. But for this item, as it's presented --

15 COMMISSIONER BILLIE JO UNDERWOOD: A --

16 ATTORNEY DAVID CONNER: -- I think you're okay.

17 COMMISSIONER BILLIE JO UNDERWOOD: A Consent is
18 not an issue with this?

19 ATTORNEY DAVID CONNER: I think that's right.

20 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

21 ATTORNEY DAVID CONNER: Because --

22 COMMISSIONER BILLIE JO UNDERWOOD: Thank you.

23 ATTORNEY DAVID CONNER: Because, again, there's
24 no -- there's no direct benefit to any person that --
25 that you're a -- it's a relative. It's a volunteer for
26 them.

27 COMMISSIONER BILLIE JO UNDERWOOD: Uh-huh.

28 (Indicates affirmatively.)

1 ATTORNEY DAVID CONNER: There's no benefit.
2 The only thing is an administerial function of amending
3 the articles.

4 COMMISSIONER BILLIE JO UNDERWOOD: Thank you.

5 ATTORNEY DAVID CONNER: So I think that's fine.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 Okay. And I think what -- too, on this, you know, I
8 think you basically serve Mobile and Clarke and all of
9 the other counties to a certain point; right?

10 MS. CINDY HABER: Clarke, Washington, and
11 Baldwin.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Baldwin, yeah. I mean, it's just -- it's just adding
14 another paragraph to the --

15 COMMISSIONER BILLIE JO UNDERWOOD: I'd -- I'd
16 like to pipe up and say I know a little bit more about
17 this because my sister is on the board.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Yeah.

20 COMMISSIONER BILLIE JO UNDERWOOD: And I've
21 worked in the same office with my sister. And Cindy has
22 run a very good operation, remarkable.

23 I mean, I can't -- I can't say enough about how well
24 you've run this part of the situation.

25 MS. CINDY HABER: Uh-huh. (Indicates
26 affirmatively.)

27 COMMISSIONER BILLIE JO UNDERWOOD: And I -- I
28 know you've got somebody standing there beside you who --

1 who will -- She's got to fill some big shoes, but I think
2 she can -- she can do it.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 Okay. All right. Well, this'll be on Consent then.

5 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 Okay.

8 COMMISSIONER BILLIE JO UNDERWOOD: All right.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 Consent.

11
12 **Q-2 - BALDWIN COUNTY CORONER'S ANNUAL REPORT - FISCAL YEAR 2018**

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 All right. All right. Next.

15 MR. BRIAN PIERCE: Thank you. I appreciate the
16 opportunity. I want to bring y'all the Fiscal Year 17-18
17 Coroner's annual report, just to share some information
18 with you and really let you know the facts about what
19 we're dealing with and what we're doing.

20 In 2018, the Baldwin County Coroner's Office
21 consisted of the following employees: Coroner Stan
22 Vinson, myself, Chief Deputy Coroner Troy Dyas, and Daren
23 Montgomery. We also had an Administrator, the Court
24 Specialist full time at forty (40) hours, and a part-time
25 at twenty-four (24) hours.

26 Baldwin County, we cover two thousand (2,000) square
27 miles of Baldwin County with just those employees. We
28 serve some two hundred and twelve thousand (212,000)

1 residents as well as numerous visitors.

2 Stan Vinson appointed three deputy coroners to
3 assist him with his duties. And, administratively, in
4 '18, the County provided one full-time Office
5 Administrator and one part-time.

6 The phones were answered twenty-four (24) hours a
7 day, three hundred and sixty-five (365) days a week
8 [sic]. And we handled four hundred and eighty-six (486)
9 death cases in that time. That's one-point-three (1.3) a
10 day.

11 The primary purpose of the Coroner's Office is to
12 investigate unattended, unexplained, violent, and
13 accidental deaths, as set forth in the Constitution of
14 Alabama.

15 And our mission statement is as follows: Is to
16 accurately determine the course and manner of death of
17 individuals that die within Baldwin County through fair,
18 ethical, and competent investigation of death performed
19 by qualified and trained individuals in accordance with
20 accepted medical/legal death investigation standards; to
21 establish and maintain cooperative and professional
22 relationships with law enforcement, funeral homes, and
23 other community members; to assist the bereaved in the
24 loss of a loved one; and to earn and hold the trust of
25 the citizens we serve.

26 Now, here's some numbers and some -- some stats.
27 And I've got this spreadsheet. I think I forwarded it to
28 most every one of the Commissioners.

1 The offices continue to maintain a one-hour response
2 time, as well as the timely progression of death
3 investigation. Typically with that, when I say that,
4 we're within the scene within an hour. We resolve that
5 case, if it's uncomplicated, within a week. If it's
6 complicated and we're waiting on autopsy results, three
7 to four months, okay, so just to give you an idea.

8 Additionally, we did initiate Standard Operating
9 Procedures and we're writing those. That is an ongoing
10 process as we enter into an accreditation process with
11 the International Association of Coroners and Medical
12 Examiners.

13 If we can complete that, we will be the only
14 coroner's office in the state to get accredited. So we
15 are taking a big step here to move forward our
16 professional standards.

17 This is a crucial step, as we move forward, as set
18 forth in 2013 Strategic Plan of having the medical
19 examiner for Baldwin County -- being accredited is a
20 crucial point to get to that endgame.

21 Of the four hundred and eighty-six (486) cases, we
22 sent a hundred and seventy-nine (179) for autopsy.
23 That's thirty-seven percent (37%). In this area, all our
24 autopsies are done in Mobile at the Department of
25 Forensic Science.

26 Three hundred and seventy-five (375) of those four
27 eighty-six (486) were ruled as natural deaths. The
28 remaining hundred and eleven (111) cases, the following

1 breakdown is as follows: Thirty-nine (39) violent
2 deaths, which are MPA's or drowning; thirty-eight (38)
3 suicides; seventeen (17) drug-related deaths; seven (7)
4 homicides.

5 Three (3) came back undetermined. We had one (1)
6 infectious death. And six (6) are still pending, even
7 from October of '18, because we have not got the autopsy
8 results back from the Department of Forensic Science. I
9 do have a spreadsheet for all the cases. If y'all want
10 it, I'll be happy to e-mail it again.

11 Continued assistance with law enforcement and the
12 District Attorney's Office and the Department of Forensic
13 is essential for these cases to be adjudicated quickly
14 and without bias.

15 We are -- we were responsible for taking custody of
16 two hundred and eighty-two (282) bodies. So we
17 accepted -- And we're the only morgue in the county,
18 other than a funeral home. Not one hospital owns a
19 morgue.

20 So we took in two hundred and eighty-two (282)
21 bodies. A hundred and seventy-nine (179) of those were
22 sent for autopsy and then released back to the family's
23 choice of funeral homes.

24 We did house a hundred and three (103) bodies for
25 families from out of state or those needing medical
26 record reviews. But we just held the bodies until we
27 reviewed the medical records, or they were snowbirds or
28 visiting our area.

1 Our population is such that any one weekend, we may
2 have four hundred thousand (400,000) people here. I'm
3 sure there's a statistic out there. But on those busy
4 weekends, we are quite busy.

5 Transportation cost, if you look at our budget --
6 And y'all probably do look at the budget -- you'll notice
7 there was a big spike last year in our transportation
8 alone.

9 It went up twenty thousand dollars (\$20,000). We
10 went from fifty thousand dollars (\$50,000) in
11 transporting bodies to over seventy (\$70,000).

12 The point of that was the procedural change at ADF
13 in Mobile. They -- We've had to transport that body or
14 handle the body or evidence, however you want to look at
15 it, an extra time. And that elevated our cost.

16 Of those hundred and seventy-nine (179) transports,
17 we went from a three hundred dollar (\$300) transportation
18 cost, roundtrip, to about four fifty (\$450) or higher.
19 So it did increase our cost. We need to look at that
20 moving forward.

21 We did respond to a hundred and eleven (111) death
22 scenes for investigative purposes. Typically when we go
23 to a scene, that is going to be an autopsy case.
24 Sometimes we do autopsies on cases coming from hospitals.
25 So we did go to a hundred and eleven (111) scenes for
26 investigations.

27 We identified one hundred percent (100%) of our
28 cases, leaving no unidentified bodies. So we don't have

1 a big John Doe problem here in the county. So we were
2 able to identify all of our cases.

3 We did assist the Council on Aging with twelve (12)
4 County cremations and one (1) burial. We continue to
5 work with the Alabama Organ Center and the Eye Bank to
6 assist with organ donations.

7 We assisted with fifteen (15) tissue harvests in
8 '18. And we do try to assist them whenever possible. We
9 will deny harvests if we think further investigation is
10 needed. We do not want anything taken from the body;
11 okay? So we do -- we do safeguard that.

12 As we move into 2019, we will remain our one-hour
13 response time countywide. We are losing an investigator
14 as Stan retires. I'm looking to try to add at least two
15 more Deputy Coroners to help cover the -- the area.

16 I know this has always been potentially seen as a
17 part-time job. It is no longer a part-time job in
18 Baldwin County. There's a hundred and sixty-eight (168)
19 hours a week with three of us. With four of us, it was
20 forty-two (42) hours a week in work. So we're losing
21 somebody, so we're working more than that now.

22 We will continue to actively pursue this
23 accreditation process within the International
24 Association of Medical Examiners. That will show us our
25 weaknesses and basically put us in best practices.

26 We want to make sure that we are practicing best
27 practices as we move forward with death investigations,
28 not only to assist law enforcement, but the District

1 Attorney's Office.

2 The current situation of the lab has brought up a
3 whole bunch of questions, not only with law enforcement,
4 but also the District Attorney's Office. So I'm actually
5 meeting with them next week to discuss the situation and
6 how to move forward with it.

7 Any questions?

8 COMMISSIONER BILLIE JO UNDERWOOD: (Indicates
9 negatively.)

10 MR. BRIAN PIERCE: I am asking the -- I'm --
11 I'm also communicating the -- And I just wanted to --
12 This is just a factfinding. So if y'all have any
13 questions, don't hesitate to reach out.

14 I've been talking with the Baldwin County
15 Legislative Delegation as well. I am asking them to put
16 up a few bills for us. Because everything that happens
17 through the Coroner's Office has to go through
18 Montgomery.

19 It makes the process extremely slow. It makes it
20 very hard to react to an issue, even on the -- even if we
21 need funding for opioids or the drug thing that happened
22 three or four years ago.

23 That has slowly -- That's coming back down. So
24 whatever they've done in law, it's working. So we see
25 our numbers coming back down.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 Yeah.

28 MR. BRIAN PIERCE: But it just makes it very

1 hard to operate. And I'll forward y'all those acts that
2 I'm -- I'm asking them to present in March.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 Okay.

5 MR. BRIAN PIERCE: Thank you for your time.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 All right.

8 COMMISSIONER JAMES E. (JEB) BALL: Thanks,
9 Brian.

10 COMMISSIONER BILLIE JO UNDERWOOD: Thank you.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 Does anybody have questions of Brian?

13 (No response.)

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 Thank you, Brian.

16 COMMISSIONER BILLIE JO UNDERWOOD: Thank you.

17

18 **R-2 - INTERSECTION OF COUNTY ROAD 13 AND COUNTY ROAD 32**

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Okay. Let's see.

21 MR. JOEY NUNNALLY: I've got --

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Okay.

24 MR. JOEY NUNNALLY: -- one item I just wanted
25 to bring to everybody's attention --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 Okay.

28 MR. JOEY NUNNALLY: -- before we move on.

1 So --

2 MR. KEN SEDLACK: Thank you.

3 MR. JOEY NUNNALLY: Thank you, Mr. Sedlack.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

5 Thank you.

6 MR. JOEY NUNNALLY: We've been studying about
7 three or four different intersections in the county, one
8 of those being County Road 32 and 13, from an accident
9 safety standpoint. So I've got to -- I've got to do
10 something there. And -- and it doesn't need to take any
11 action on your part.

12 But that current configuration of 32 and 13 is 13
13 stops and 32 is free-flow. But just south of 32 on 13
14 at -- at 24, there's a four-way. If you're going north,
15 there's a four-way and another four-way and then a couple
16 of roundabouts on 13.

17 So this one being a free-flow intersection, people
18 pull up to it and they feel like they're at another
19 four-way, and it's not. And we're getting a lot of
20 accidents.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 Right.

23 MR. JOEY NUNNALLY: Between '16 and '18, 2016
24 and 2018, there was twelve (12) accidents at that one
25 intersection. One of them was quite severe. Three of
26 them were people taken to the hospital on.

27 We -- we rate that intersection from a severity
28 index. It's supposed to be five or less and this one is

1 like at eight-point-three. So it's a little high.

2 So, again, no action needed on your part. But I --
3 but I did want you to be aware of what I was fixing --
4 fixing to do, which is make that a four-way stop; okay?

5 And there's -- there's a process that we go through
6 to do that, creating a two-way stop now to a four-way.
7 We can put up message boards and advertise the public for
8 a few days.

9 COMMISSIONER JOE DAVIS III: Sure.

10 MR. JOEY NUNNALLY: We'll -- we'll do those,
11 the -- the rumble strips.

12 COMMISSIONER JOE DAVIS III: Rumble strips.
13 Okay.

14 MR. JOEY NUNNALLY: And -- and then we can
15 flag. We'll put up, you know, STOP AHEAD signs and we'll
16 put the big orange flags on them for a while and leave
17 those up, you know, just to let everybody know that
18 this -- hey, this is -- something is changing here; okay?

19 So we'll be doing that. And if y'all get any calls
20 about it, you -- you'll -- you'll be armed with the
21 information of why we're doing it.

22 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

23 MR. JOEY NUNNALLY: Okay.

24 COMMISSIONER BILLIE JO UNDERWOOD: Thank you.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 It might not be a bad idea to get with the Newton School
27 there and have them make -- make an announcement about it
28 at the school for the --

1 MR. JOEY NUNNALLY: That's a good idea.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
3 You know, because, you know, that's mostly school traffic
4 anyway.

5 MR. JOEY NUNNALLY: That is, in the morning
6 times especially.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 Yeah.

9 MR. JOEY NUNNALLY: All right.

10

11 **E-1 - BALDWIN COUNTY SOLID WASTE UNCOLLECTIBLE RESIDENTIAL**

12 **ACCOUNTS**

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 So okay. Let's see.

15 COMMISSIONER JAMES E. (JEB) BALL: We're back
16 to Solid Waste?

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 Yeah. Let's go back to -- All right. E-1.

19 MS. TERRI GRAHAM: All right. That's me.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 Uh-huh. (Indicates affirmatively.)

22 MS. TERRI GRAHAM: The first item I have is the
23 uncollectible residential accounts for January, seven
24 hundred thirty-nine dollars and ninety cents (\$739.90).

25 COMMISSIONER JAMES E. (JEB) BALL: Consent.

26 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

27 COMMISSION CHAIRMAN CHARLES SKIP GRUBER:

28 Consent.

1
2 **E-2 - DISCONTINUATION OF GARBAGE PICKUP AND DISPOSAL BY THE**
3 **BALDWIN COUNTY SOLID WASTE DEPARTMENT IN THE CORPORATE LIMITS OF**
4 **THE TOWN OF LOXLEY**

5 MS. TERRI GRAHAM: Then the second item that I
6 have is for -- I mentioned this in the department head
7 meeting last time. This is the resolution from the Town
8 of Loxley for us to discontinue picking up in their
9 corporate limits. And that would have been Stonebridge
10 Subdivision and Osprey Ridge off of 31 coming back from
11 Bay Minette towards Spanish Fort.

12 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
13 Consent.

14 COMMISSIONER JOE DAVIS III: Consent.

15 MS. TERRI GRAHAM: So, for us, it's about two
16 hundred and twenty-five (225) stops. And we're working
17 with them through this process to do the official
18 changeover April --

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Okay.

21 MS. TERRI GRAHAM: -- April 1, or around about
22 that.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 All right.

25
26 **R-3 - J.M. WOOD AUCTION COMPANY, INC. - EQUIPMENT AUCTION**

27 MS. TERRI GRAHAM: And just one other thing:
28 Bryant Wood is coming to the landfill tomorrow to look at

1 our equipment for the spring auction. So I'm not sure
2 why they don't do us all together. But that's the first
3 time we could get them to come see us. So --

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 Okay. Good.

6 MS. TERRI GRAHAM: -- we'll have ours at the
7 next work session.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 Good. All right.

10 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

11

12 **F-1 - ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)**
13 **CONTRACTUAL AGREEMENT - COASTAL PROGRAM, FISCAL YEAR 2018-2019**

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 All right. Next. F-1.

16 MR. MIKE HOWELL: Yes. What I've got today is
17 the annual contract between the Baldwin County Commission
18 and the ADEM, Alabama Department of Environmental
19 Management.

20 We've been doing this for many years. We -- the
21 County Commission receives thirty-five thousand dollars
22 (\$35,000) a year for the work we do on Fort Morgan and
23 the Coastal Construction Line. The contract is the same,
24 other than the dates. There was a few little things
25 where they had "City." We changed it to "County." And
26 this is just for y'all to receive the revenue.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 Okay.

1 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

2 COMMISSIONER JAMES E. (JEB) BALL: Consent.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 Consent.

5 COMMISSIONER JOE DAVIS III: Mr. Chairman, if
6 we could.

7 Is that thirty-five thousand (\$35,000), has that
8 been the amount for a couple of years or how is --

9 MR. MIKE HOWELL: It's been --

10 COMMISSIONER JOE DAVIS III: What is that based
11 on? Do you know?

12 MR. MIKE HOWELL: It's been -- it's been the
13 amount since we got it back from Gulf Shores.

14 COMMISSIONER JOE DAVIS III: Okay.

15 MR. MIKE HOWELL: Gulf Shores lost a court case
16 where they extended their police jurisdiction down there.
17 Now, many years ago, when we first had it back in the
18 early years, it was seventy-five thousand (\$75,000). But
19 we had the whole peninsula. And then when Gulf Shores
20 was able to exercise their police jurisdiction, it kind
21 of cut it in half. So it went to thirty-five (\$35,000).

22 COMMISSIONER JOE DAVIS III: Yeah. All right.
23 Thank you.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 Okay.

26 MR. MIKE HOWELL: Thank you. Excuse me.

27

28 G-1 - CASE NO. Z-18041 - DORGAN PROPERTY REZONING

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

2 All right. Okay. So let's see. Next is Planning.

3 Vince?

4 MR. VINCE JACKSON: I'm here. Good morning.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

6 Good morning.

7 MR. VINCE JACKSON: The first case this morning
8 is Z-18041. This is the Dorgan property in Point Clear.
9 This involves one-point-zero-four (1.04) acres currently
10 zoned B-2, which is the Neighborhood Business
11 designation. And the request is to re-zone to RSF-2.

12 This is one that you've seen before and that you are
13 probably somewhat familiar with. This was tabled and
14 sent back to the Planning Commission to be re-advertised
15 and reconsidered.

16 We have it scheduled the way we did because of the
17 sixty (60) day timeframe. So next Tuesday's meeting is
18 the last day within that timeframe that you-all can vote
19 on this.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

21 Okay.

22 MR. VINCE JACKSON: It's located on the east
23 side of Scenic Highway 98, south of County Road 32, in
24 Planning District 26.

25 The original request was for RSF-4. They were
26 wanting to achieve three lots. With the current request
27 the smaller lot, the lot to the south, will remain as is.
28 It is a lot of record. If the re-zoning is approved,

1 they can build on that lot without any variances.

2 And then the larger lot, if the re-zoning is
3 approved, will be divided into two lots that meet RSF-2
4 standards. And so they'll still get their three lots,
5 just in a different way.

6 This was considered by the Planning Commission this
7 past Tuesday, January 3rd, and the Planning Commission
8 voted to recommend approval.

9 There were two gentlemen from Point Clear at the
10 meeting, but they did not speak. We have not encountered
11 any opposition to this revised request. We had to submit
12 this agenda item before the Planning Commission meeting.
13 So I'll have some additional information to submit for
14 the public hearing.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Okay. So we still have another public hearing; correct?

17 MR. VINCE JACKSON: Yes, sir.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Okay. Okay.

20 COMMISSIONER JAMES E. (JEB) BALL: I consent,
21 Mr. Chairman.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 All right. A public -- it'll be a --

24 COMMISSIONER BILLIE JO UNDERWOOD: It's a
25 public hearing.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 A public hearing.

28 COMMISSIONER JAMES E. (JEB) BALL: Public

1 hearing.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 Yeah.

4

5 **G-2 - CASE NO. Z-18047 - STAPLETON PROPERTY REZONING**

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

7 All right. Next one?

8 MR. VINCE JACKSON: The next one is Stapleton
9 property. This is a request to re-zone six (6) acres
10 from RA to RR to allow a continued commercial/kitchen and
11 potentially some other businesses. It's my understanding
12 that the applicant has been discussing the property with
13 some potential buyers.

14 This is a similar situation to the Dorgan case.
15 This one is located on the north side of County Road 64,
16 east of Pursley Road, in Planning District 15. And you
17 see it before you on the locator map.

18 The original request for this one was B-4, but we
19 had recommended RR. But because of the, you know, recent
20 Supreme Court decision, we had to have it go back. So it
21 has been re-advertised as a request for RR.

22 This one was considered by the Planning Commission.
23 The Planning Commission did vote to recommend approval.
24 There was an adjacent property owner present who
25 expressed some concerns about some of the, you know,
26 potential businesses.

27 A lot of the businesses that could be done under an
28 RR designation would be subject to either special

1 exception or conditional use approval, which are public
2 hearings either before the Planning Commission or the
3 Board of Adjustments.

4 So if was there was an issue, there would be an
5 opportunity for adjacent property owners to be heard, if
6 there were concerns about potential businesses. I -- I
7 think we were somewhat able to address her questions.

8 COMMISSIONER BILLIE JO UNDERWOOD: I
9 followed -- I was leaving at the time --

10 MR. VINCE JACKSON: Right.

11 COMMISSIONER BILLIE JO UNDERWOOD: -- that she
12 was leaving. And I think -- I think what sometimes --
13 And this might be something -- And I already discussed
14 this with you --

15 MR. VINCE JACKSON: Uh-huh. (Indicates
16 affirmatively.)

17 COMMISSIONER BILLIE JO UNDERWOOD: -- that in
18 the future, if the -- if the people who are there and all
19 they have is this --

20 MR. VINCE JACKSON: Uh-huh. (Indicates
21 affirmatively.)

22 COMMISSIONER BILLIE JO UNDERWOOD: -- they
23 don't have this whole --

24 MR. VINCE JACKSON: Right.

25 COMMISSIONER BILLIE JO UNDERWOOD: -- three
26 (300) or five (500) or six hundred (600) page document
27 to --

28 MR. VINCE JACKSON: Right.

1 COMMISSIONER BILLIE JO UNDERWOOD: -- go along
2 with it.

3 MR. VINCE JACKSON: Uh-huh. (Indicates
4 affirmatively.)

5 COMMISSIONER BILLIE JO UNDERWOOD: That, you
6 know, maybe be prepared. I tore my packet apart --

7 MR. VINCE JACKSON: Uh-huh. (Indicates
8 affirmatively.)

9 COMMISSIONER BILLIE JO UNDERWOOD: -- and gave
10 her those definitions. She could take them home and look
11 at them.

12 MR. VINCE JACKSON: Uh-huh. (Indicates
13 affirmatively.)

14 COMMISSIONER BILLIE JO UNDERWOOD: Not
15 everybody has the ability to print stuff out and look at
16 it on the computer, nor do they know where to find it.
17 So I think the more we can do to help them -- I think
18 what she really needed to know was where they were right
19 now with RA --

20 MR. VINCE JACKSON: Uh-huh. (Indicates
21 affirmatively.)

22 COMMISSIONER BILLIE JO UNDERWOOD: -- and what
23 was RR.

24 MR. VINCE JACKSON: Right.

25 COMMISSIONER BILLIE JO UNDERWOOD: And I think
26 after she -- If she did read what I gave her, that
27 would --

28 MR. VINCE JACKSON: Uh-huh. (Indicates

1 affirmatively.)

2 COMMISSIONER BILLIE JO UNDERWOOD: -- help with
3 it. But she said she didn't know anything but this
4 outline.

5 MR. VINCE JACKSON: Right.

6 COMMISSIONER BILLIE JO UNDERWOOD: And I think
7 that is confusing to a lot of people. Because I've said
8 it many, many times. They're not -- They don't know what
9 goes on in these situations until it happens in your
10 backyard is the first time you ever even hear about this
11 kind of stuff sometimes.

12 MR. VINCE JACKSON: Right.

13 COMMISSIONER BILLIE JO UNDERWOOD: Thank you,
14 Vince.

15 MR. VINCE JACKSON: Thank you.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 Okay.

18 MR. VINCE JACKSON: But the Planning Commission
19 did recommend approval, and the staff concurs with their
20 recommendation.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 All right.

23 COMMISSIONER JAMES E. (JEB) BALL: Public
24 hearing.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 It'll be another public hearing.

27 MR. VINCE JACKSON: Yes, sir.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 Okay.

2

3 **R-4 - CASE NO. Z-18054 - PREWETT PROPERTY REZONING REQUEST**

4 MR. VINCE JACKSON: And we actually have one
5 more.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 Okay. All right. Celena?

8 MS. CELENA BOYKIN: Good morning. This is a
9 request to re-zone eight-point-seven-four (8.74) acres.
10 It's currently zoned RSF-2, which is Residential. And
11 the applicant is asking that it be rezoned to B-1, to
12 allow for a couple of office buildings.

13 The subject property is located on the east side of
14 County Road 13, just north of 64, right there at the
15 roundabout. You can see the subject property is
16 surrounded by RSF-2.

17 Just south of it, there is -- Even though it's zoned
18 residential, there's a few parcels that are commercial.
19 There's storage buildings, a church.

20 On the west side of 13 where it says Daphne, that's
21 where the Belforest apartment buildings are -- apartment
22 buildings are being built.

23 The B-1 is a Professional Business District, which
24 is a good district to -- between higher intensity. It's
25 better, you know, being surrounded or being next to a
26 residential.

27 The Planning Commission recommended approval at
28 their meeting, and staff also recommends approval.

1 If you will, go to -- I think there's some pictures.
2 There's some of the surrounding property. This is their
3 layout. This is what they're planning on doing.

4 And then there is -- And then this is kind of how
5 they plan to do their office buildings. This is just a
6 proposed example of what they would look like.

7 We didn't have many calls about it. There was one
8 gentleman that showed up at the meeting and actually said
9 he was in favor of it. And he had adjoining property,
10 and he plans to re-zone to commercial sometime in the
11 future.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Okay. All right. And that'll also be a public hearing.

14 MS. CELENA BOYKIN: Correct. Yes.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Okay.

17 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Okay. Thank you.

20 MR. VINCE JACKSON: Thank y'all.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 Thank you, Vince.

23 COMMISSIONER JOE DAVIS III: Thank you, Vince.

24 MR. VINCE JACKSON: Thank you.

25

26 **L-2 - VAUGHN S.A.I.L. CENTER**

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

28 All right. Next is L-1, right, which is renaming of the

1 North Baldwin Council on Aging.

2 MS. KELLY CHILDRESS: Can we switch?

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 Which ones?

5 MS. KELLY CHILDRESS: Can we switch those two?

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 Okay. You want to -- Okay. Let's deal with L-2 first.

8 MS. KELLY CHILDRESS: Okay. With the Vaughn
9 S.A.I.L. Center. Commissioners, I'm going to tell you
10 the truth. I go back to what I stated a year and a half
11 ago; and that was, for the community, the citizens, to
12 take over the Vaughn Center.

13 I think it would thrive. I think it would be a
14 great asset to their community. I think if the churches
15 became involved and got a board to run that center, then
16 all you would need would be a sponsor.

17 You have a lot of churches that could be sponsors
18 for that community center. And then I think the people
19 at the -- at the Vaughn community would be able to thrive
20 and have their community's best interests at heart.
21 That's what I personally feel.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Okay.

24 MR. LESLEY WILLIAMS: What does that entail,
25 Vaughn, the citizens running that? I don't know.

26 MS. KELLY CHILDRESS: Okay. So what would
27 happen is, let's -- The time I put out -- It was last
28 summer that I put out a call for everybody to come on and

1 let's talk about how the center is ran between State and
2 the County facility.

3 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
4 affirmatively.)

5 MS. KELLY CHILDRESS: Yeah. You came and you
6 had mentioned to me that you had a little group at your
7 church --

8 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
9 affirmatively.)

10 MS. KELLY CHILDRESS: -- that was going to help
11 keep that center going and getting people up there and
12 stuff.

13 MR. LESLEY WILLIAMS: Right.

14 MS. KELLY CHILDRESS: Well, to me, that's
15 called like a little board.

16 MR. LESLEY WILLIAMS: Okay.

17 MS. KELLY CHILDRESS: So that could be your
18 board. You'd have to get it -- That would all have to go
19 through SARPC, the area Agency on Aging --

20 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
21 affirmatively.)

22 MS. KELLY CHILDRESS: -- would approve
23 everything. And then just like you did whenever you came
24 up and paid for the uneaten meals there --

25 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
26 affirmatively.)

27 MS. KELLY CHILDRESS: -- you -- you sponsored
28 it at that point. So you would be the sponsor then. So

1 anything that went on at that center, at your church,
2 or -- or wherever y'all have it, the sponsor would be in
3 control of or the board would be in control of.

4 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
5 affirmatively.)

6 MS. KELLY CHILDRESS: So you know what Vaughn
7 citizens want. You know what Vaughn citizens need. And
8 y'all just about were the sponsors --

9 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
10 affirmatively.)

11 MS. KELLY CHILDRESS: -- because your church or
12 the many churches in that area took on the responsibility
13 of paying for those meals and stuff.

14 MR. LESLEY WILLIAMS: Right. Okay.

15 MS. KELLY CHILDRESS: So I -- I -- I personally
16 just feel like the community would benefit without the
17 County involved. I think the State -- Y'all need to be
18 involved with the State since they do the meals.

19 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
20 affirmatively.)

21 MS. KELLY CHILDRESS: And get your board and
22 get your sponsorship and -- and run it. I think you'd be
23 more effective. That's my personal feelings.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 And, you know, we -- we also have another one similar to
26 this one, which is -- is in Tensaw up there at Little
27 River, Little River. And it's the same way. It's --
28 it's sponsored by the church up there.

1 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
2 affirmatively.)

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 And Ms. Barbara Stockdale is the one that's in charge of
5 that. And, you know, it's -- it's working up --
6 fantastic up there, you know.

7 The -- You know, it's the -- the -- They've got a --
8 they've got their own center manager, you know, that --
9 you know, that -- And Ms. Stockdale is there or appointed
10 one. And she does all -- all the stuff, you know.

11 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
12 affirmatively.)

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 And it's working very well up there, you know. I mean,
15 it's, you know -- Matter of fact, I don't think she
16 has -- they have paid for any meals because her
17 participation covers everything that they need.

18 So it's not really costing anybody anything except
19 for the -- you know, the cost of the meals, which comes,
20 you know, through -- through the State anyway, paid for
21 that.

22 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
23 affirmatively.)

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 You know, and it gives the -- and it gives the community
26 a little bit more say of what, you know --

27 MR. LESLEY WILLIAMS: Yeah.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 -- of what, you know --

2 MS. KELLY CHILDRESS: That --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

4 -- as far as the meals and stuff, you know. And that's

5 --

6 MS. KELLY CHILDRESS: That's my thing.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

8 -- part of it, you know. Yeah.

9 MS. KIM CREECH: If -- if you have a community
10 leader and it's run by your community, then you're in
11 charge of the way things go. Then you're in charge of
12 the guidelines on how you have to have your guidelines
13 with the State.

14 And it -- Otherwise, people are -- citizens think,
15 well, they're just there. But I -- There's so many
16 guidelines to go by.

17 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
18 affirmatively.)

19 MS. KELLY CHILDRESS: And I think you or a
20 board would -- and a sponsor would understand what the
21 citizens need in your community.

22 I don't know what all the citizens need in Vaughn.
23 I don't know what all the citizens need in Little River.
24 But I know that the homebounds are being taken care of
25 right now.

26 I've talked to them. They enjoy their frozen meals.
27 I think they enjoy their frozen meals now than they --
28 than they ever would --

1 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
2 affirmatively.)

3 MS. KELLY CHILDRESS: -- the hot meals from
4 GA Foods, because it's so awful. So that's my -- That's
5 what I say.

6 COMMISSIONER BILLIE JO UNDERWOOD: You think
7 maybe if -- if -- if you went and met with Ms. Stockdale
8 and learned a little bit about it, would that be
9 something?

10 MS. KELLY CHILDRESS: Well, I think he would
11 first need to go to the Area Agency on Aging --

12 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 Yeah.

15 MS. KELLY CHILDRESS: -- which is Julia. And
16 I'll help you with this.

17 MR. LESLEY WILLIAMS: Right.

18 MS. KELLY CHILDRESS: And --

19 MR. LESLEY WILLIAMS: Funding, so all the food
20 is still going to be provided by the State?

21 MS. KELLY CHILDRESS: Uh-huh. (Indicates
22 affirmatively.)

23 MR. LESLEY WILLIAMS: We're not talking about
24 the community --

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 No. No. No.

27 MR. LESLEY WILLIAMS: -- they don't --

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 The community doesn't have to cook. They don't have to do
2 anything. All they need is somebody to manage it.
3 You -- basically you've got somebody that sits in that
4 center and takes care of the same thing, what we were
5 doing. The only thing y'all --

6 MR. LESLEY WILLIAMS: I understand.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 Y'all -- y'all would oversee it.

9 MR. LESLEY WILLIAMS: But --

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 And, you know, and then, you know, the -- the cost of the
12 meals are over, you know. If, you know -- if somebody
13 doesn't show up, you know, you're allowed whatever the
14 meal is.

15 MS. KELLY CHILDRESS: Twenty-five (25) meals a
16 day.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 Twenty-five (25) meals or -- or whatever. You can get
19 more than that if you need it.

20 MS. KELLY CHILDRESS: Oh, sure.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 But I'm saying that twenty-five (25), anything under that
23 you don't serve out of that twenty-five (25), it'll cost
24 you three dollars (\$3) or something like that, you know.

25 MS. KELLY CHILDRESS: The sponsor has to --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 But y'all are -- y'all are the sponsor. And y'all can
28 make -- make that happen and get people there. I mean,

1 you know --

2 MR. LESLEY WILLIAMS: Do all centers have to
3 pay for meals that are not eaten?

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 Yes.

6 MR. LESLEY WILLIAMS: Is that --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 Even -- And -- and what --

9 MS. KELLY CHILDRESS: That was a new thing.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 What happens, the -- now, the one in Tensaw -- I mean,
12 Little River, it's covered by SARPC, is it not, or do
13 we pay? Yeah. SARPC pays for that --

14 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
15 affirmatively.)

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 -- which is South Alabama Regional Planning, which y'all
18 would come under the same thing, you know, getting
19 with -- with Ricky Rhodes. You know Ricky, don't you?

20 MR. LESLEY WILLIAMS: He used to be mayor?

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 He used to be mayor.

23 MR. LESLEY WILLIAMS: Yes.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 Well, he's the Executive Director over there.

26 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
27 affirmatively.)

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 And I think, you know, Julie McGee and our staff can get
2 y'all with them. And, matter of fact, they'll even go
3 with you and -- and talk to these folks.

4 You know, our -- you know, our staff is willing to
5 work with y'all to make sure to get something up there,
6 you know. Because it's a good -- it's a good program.

7 MR. LESLEY WILLIAMS: Yes, it is.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 You know, it just -- it just --

10 MR. LESLEY WILLIAMS: The community needs the
11 program.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Yeah. And I think that would help y'all get started in
14 the right direction.

15 COMMISSIONER JAMES E. (JEB) BALL:
16 Mr. Chairman --

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 Yes.

19 COMMISSIONER JAMES E. (JEB) BALL: -- if I may.
20 We have one bump in the road.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 Okay.

23 COMMISSIONER JAMES E. (JEB) BALL: It's a
24 County-owned facility. And so they're going to have
25 to -- We're going to have to work out either one or two
26 things; right?

27 If I'm -- so it's our building. The County owns the
28 building. So we're going to have to either execute a

1 sale for the building or some kind of lease option.

2 And what we're talking about here today is that
3 we're -- the County is, as of right now, probably not
4 going to continue that S.A.I.L. center.

5 So this is where -- All that stuff sounded good, but
6 we're running into the bump in the road, that that is a
7 County-owned facility. And it's still our liability when
8 people are in there. So we're going to have to come with
9 an agreement of -- of something.

10 ATTORNEY DAVID CONNER: There -- there would
11 need to be -- I would think the safest course of action
12 would be to do what you said, which would be to convey it
13 to some appropriate entity that would handle it.

14 You know, one option might be, since funding comes
15 through the South Alabama Regional Planning Commission,
16 maybe it's conveyed to them. It's their site. They
17 manage the site. They do the funding, something like
18 that.

19 MR. LESLEY WILLIAMS: Right.

20 ATTORNEY DAVID CONNER: That might be a way to
21 do it as opposed to just going directly to a private. If
22 it does go to a private, I would certainly think it would
23 need to be some type of nonprofit that's set up and
24 incorporated.

25 But those are -- I -- I think in order to -- to cap
26 the liability, as Commissioner Ball is saying, and put
27 that into the appropriate place, that would be something
28 that you-all could do.

1 MS. KELLY CHILDRESS: Can I say something?
2 I -- I don't know. I'm not contradicting what David
3 said, but I don't know that SARPC would do that. I don't
4 think that --

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
6 No.

7 MS. KELLY CHILDRESS: They just -- they're not
8 in to do that.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 No.

11 MS. KELLY CHILDRESS: They're in for --

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Providing the meals, basically.

14 MS. KELLY CHILDRESS: -- providing the meals.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Yeah.

17 MS. KELLY CHILDRESS: So my question goes back
18 to: Does any of the church facilities have an area?
19 Because like at Little River, they didn't have an area to
20 put stoves and all that. They -- SARPC came in and said,
21 okay, we can make -- help you make this area. You know,
22 we'll provide this kind of stove, and we're going to
23 buy -- provide the GA oven or whatever.

24 And they can set up a section in your hall or in
25 your reception area, whatever, for the food to be placed
26 at. It -- it doesn't even necessarily have to be at the
27 building in -- in Vaughn.

28 COMMISSIONER BILLIE JO UNDERWOOD: Do you have

1 a church that can accommodate that, like a kitchen that
2 needs upgrading?

3 MR. LESLEY WILLIAMS: That is kind of -- I'm --
4 my thoughts are not here. But I -- I thought we were
5 just coming about -- Really, I thought we was coming
6 about an open date. I thought out last the discussion at
7 the last work session that I was at, that I was -- So my
8 thoughts haven't gone this far. This is a lot of
9 information about over a center and --

10 COMMISSIONER BILLIE JO UNDERWOOD: Yeah. We
11 understand.

12 MR. LESLEY WILLIAMS: -- and the building. And
13 so -- so, you know, I'm not prepared to -- to even
14 entertain this. But I -- I -- I can't -- I don't
15 understand why the County has been running it and all of
16 the sudden the County doesn't want it. I -- I don't
17 understand that.

18 And I -- I understand that we've had some problems
19 there, you know, with some -- some elderly people. But I
20 think, me, personally -- And I've been in management for
21 about eighteen (18) years. I -- I think that if you get
22 the right person to run the center -- I -- I know we had
23 some problems with some individuals.

24 But I also think that part of our problem was that
25 the -- the leadership part of it. I think if we get the
26 right person to run the center, the Stockton center can
27 be run really efficiently and effectively.

28 But, you know, I didn't come with the information to

1 run a center, the kitchen to upgrade, and all that kind
2 of stuff. Those are big decisions to make, to ask a
3 church to allow something to come in without having it
4 first go to the board and the council. So I can't tell
5 you --

6 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

7 MR. LESLEY WILLIAMS -- that that can happen,
8 because I don't know whether the church is going to do it
9 or not. And I don't have permission to do it at my
10 church without first going to my board.

11 So we're still talking about months out, if we
12 decide to do something. And our center has been closed
13 now for quite a while.

14 COMMISSIONER BILLIE JO UNDERWOOD: Uh-huh.

15 (Indicates affirmatively.)

16 MR. LESLEY WILLIAMS: And I just don't think
17 it's fair -- I really don't -- for you guys to just drop
18 this on us like that and --

19 COMMISSIONER JAMES E. (JEB) BALL: Here's --

20 MR. LESLEY WILLIAMS: -- basically just saying
21 we're going to walk out from under it.

22 COMMISSIONER JAMES E. (JEB) BALL: Now, here's
23 the -- here's the thing with your center, though. The
24 County has provided a free shuttle service to Bay Minette
25 and do the same thing. And nobody takes advantage of it,
26 not one.

27 MR. LESLEY WILLIAMS: And -- and the reason --
28 I'll -- I'll answer you. They're elderly people.

1 COMMISSIONER JAMES E. (JEB) BALL: Uh-huh.

2 (Indicates affirmatively.)

3 MR. LESLEY WILLIAMS: And elderly people that
4 are seventy (70) and eighty (80) years old, you --

5 COMMISSIONER JAMES E. (JEB) BALL: Yeah.

6 MR. LESLEY WILLIAMS: -- they don't like to
7 travel very far. So Bay Minette is -- You've got to get
8 up. You've got to get on. You've got to get off. A lot
9 of them are having trouble walking and getting around.

10 So you -- you're -- you're asking some people to do
11 some stuff. And most elderly people -- I know my mother
12 and my father, and they don't go. If he goes somewhere
13 out of town, ten minutes, he's ready to go back home.

14 So you -- you're rearranging it into a lie. This
15 isn't about teenagers or twenty (20) year olds. I'm
16 talking about elderly people.

17 I wanted to keep that in the forefront. And to take
18 away a service from them, I think, is very -- I just
19 don't think it's right.

20 MS. KELLY CHILDRESS: We're not taking away --

21 MR. LESLEY WILLIAMS: Yeah.

22 MS. KELLY CHILDRESS: -- a service. That --
23 Those people that ride the bus to the Vaughn Center --

24 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
25 affirmatively.)

26 MS. KELLY CHILDRESS: -- can ride it to the Bay
27 Minette center. The people that -- You know, once the --
28 the manager of that center retired and my staff tried to

1 run it, it was a very, very, very, very, very hostile
2 situation.

3 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
4 affirmatively.)

5 MS. KELLY CHILDRESS: Then we had another
6 center manager come in --

7 MR. LESLEY WILLIAMS: Right.

8 MS. KELLY CHILDRESS: -- who knew the people at
9 Vaughn. And I thought this was going to be wonderful.

10 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
11 affirmatively.)

12 MS. KELLY CHILDRESS: And I, in a roundabout
13 way, kind of let her know that, you know, be careful.
14 This is hostile right now. Just you're going to have to
15 go in and just be easy and listen to their suggestions.
16 They might have some.

17 Well, they ran her off. And the day that I let
18 everybody know that she put in her resignation, they
19 stood up and clapped. And I'm -- How can I hire someone
20 and say, okay, you can go up there and have a part-time
21 job, but beware. It can get hostile.

22 I don't think that's fair. I think it's fair for
23 the community to run that center. I think it will
24 thrive. I think it will be wonderful.

25 I will help you every step of the way. But I will
26 not put my staff in jeopardy nor anyone else that doesn't
27 know what's going on up there.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 It was, and you know it was pretty bad.

2 MR. LESLEY WILLIAMS: Yeah. I hear that --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

4 Well, I --

5 MR. LESLEY WILLIAMS: -- Commissioner.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

7 I've got --

8 MS. KELLY CHILDRESS: We have a video.

9 COMMISSIONER JAMES E. (JEB) BALL: We've got a
10 video.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

12 They've got a video --

13 MR. LESLEY WILLIAMS: I understand.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

15 -- on my thing.

16 MR. LESLEY WILLIAMS: Part of that -- I think
17 some of the stuff that I was hearing that was coming
18 back -- And I talked to your -- your leader that was up
19 there, too.

20 Of the -- one of the prerequisites that I would
21 suggest to you, that whenever you get a person, the
22 person that runs the center has to have at least a basic
23 skill of conflict resolution.

24 And when I was there talking to your staff member,
25 just listening at her talk, she just -- I don't think she
26 was -- had that training.

27 Because part of leadership is going -- you're gonna
28 to have to be able to resolve conflicts. Because there

1 is no environment without conflict. You know what I'm
2 saying?

3 You've got different little opinions, different
4 generations. You're gonna to have that. So I -- I do
5 understand that.

6 But -- but you guys are asking us to use our church,
7 our facility. But I hear you guys. It sounds like your
8 decision is already made. But I -- I think it's
9 unfortunate that -- that it goes like this. Okay.

10 MS. KELLY CHILDRESS: Well, and I've -- You
11 have worked with me. And I -- and I appreciate --

12 MR. LESLEY WILLIAMS: I know.

13 MS. KELLY CHILDRESS: -- you doing your best to
14 work with me. But I will, as well, work with you on
15 getting what the community needs. No person should ever
16 be without food.

17 I go back to the same way Daphne, Summerdale,
18 whoever runs a center. If there's somebody that needs
19 food, let us know. We can get homebound meals if they're
20 homebound.

21 If there's somebody up there that needs food, let's
22 call BRATS. They have free transportation to Bay
23 Minette. I'll do whatever I need to do.

24 But as far as leadership skills, I had every one of
25 my staff members go up there before I hired an individual
26 to be a part-time center manager. And every one of my
27 staff members were insulted or had racial slurs thrown at
28 them.

1 And I just -- It's not a good environment. It's --
2 I'm just going to tell you. And you know I'm telling the
3 truth.

4 MR. LESLEY WILLIAMS: Well, I -- I -- I
5 believe -- I believe in fixing things. I -- I don't --

6 MS. KELLY CHILDRESS: And I do, too. And
7 that's why we have been trying to fix it. That's why
8 I -- We're giving you an avenue to go out.

9 Let's -- let's do something different. Let's help
10 you get a board. Let's help you get a sponsor. And
11 let's -- I'll be the liaison to go to SARPC and talk with
12 you. And let's get this together.

13 MR. LESLEY WILLIAMS: With the County building?

14 MS. KELLY CHILDRESS: Do you want to buy it?

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Well, you know, I -- you know, I -- as far as the -- the
17 building, I think we can -- we can do a lease. They can
18 lease it or they can just, you know -- You know --

19 MR. LESLEY WILLIAMS: Yeah.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 Because it's -- it's -- it's providing a community
22 service, you know. We're doing --

23 MR. LESLEY WILLIAMS: Okay.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 -- the same thing in -- in North Baldwin, you know, up
26 in Little River. And it's the same -- same principal.

27 COMMISSIONER JAMES E. (JEB) BALL: Well, we're
28 kind of -- we're kind of -- we're looking at it. But

1 we're --

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 Yeah. But we're --

4 COMMISSIONER JAMES E. (JEB) BALL: -- kind of
5 pumping the brakes on it because we don't want to wind up
6 in the same predicament as building a County facility and
7 then all of a sudden having an abandoned County facility.

8 Now, the option to lease or -- or whatever, that's
9 all good. Because what happens is, is what we're trying
10 to do is protect -- Because I'm going to listen to her,
11 because I believe in what she's saying.

12 And what we're going to do is, is she rehires people
13 and puts people up there. And those people get in a
14 confrontation and get hurt, then we're responsible.
15 We're liable, not -- not -- not y'all.

16 MR. LESLEY WILLIAMS: What is -- How much
17 authority does the center person have? Why don't you
18 just -- The person that's giving the problems, why don't
19 you just evict them? Why don't you --

20 MS. KELLY CHILDRESS: We tried.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 We tried. And they come back. They keep coming back.

23 MS. KELLY CHILDRESS: And they keep starting
24 problems.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 They just keep --

27 COMMISSIONER JAMES E. (JEB) BALL: See, this is
28 the -- I don't think you can fix this. Because you --

1 you can't -- you can't say that, oh, I'll correct all
2 this. It's not -- that's not -- You can't fix it. It's
3 broken.

4 MR. LESLEY WILLIAMS: Well, fine then. And
5 that's what -- that's what gets fixed is broken stuff.

6 COMMISSIONER JAMES E. (JEB) BALL: Well,
7 they've tried. I -- And --

8 MR. LESLEY WILLIAMS: Yeah.

9 COMMISSIONER JAMES E. (JEB) BALL: -- this was
10 when I -- I was a part of this when it was going on last
11 year, just listening to it. Now here I am sitting here.

12 And it's been an ongoing problem. And -- and what
13 happens is when you establish rules, just a -- and -- and
14 put simple guidelines up, nobody wants to follow the
15 rules.

16 And then when you say, you can't do that -- And --
17 and that's what you have to say when somebody doesn't
18 follow the rules. Hey, you can't do that. Then they get
19 upset.

20 And then they get upset and they start -- I mean, I
21 saw a guy get up out of a chair and approach a woman like
22 he was going to come at her. I mean, and she had to call
23 911. So that -- No other center in this county operates
24 like that.

25 MR. LESLEY WILLIAMS: So what makes you think
26 if you turn it over to the -- the community, we can run
27 it?

28 COMMISSIONER JAMES E. (JEB) BALL: Because

1 y'all can --

2 MR. LESLEY WILLIAMS: If it's broken --

3 COMMISSIONER JAMES E. (JEB) BALL: You can
4 handle the -- just because it takes the liability off us
5 in case y'all hurt each other. Then y'all just hurt each
6 other and the cops are called out there. And then it's
7 not the County's liability.

8 MS. KELLY CHILDRESS: And you know your
9 community. You know your church people. You were
10 willing to come in say --

11 COMMISSIONER JOE DAVIS III: Right.

12 MS. KELLY CHILDRESS: -- all these churches --
13 That Tuesday in Bay Minette, I had several guys there
14 from churches, from several different churches. I think
15 if y'all band together -- I'm from Loxley. I know my
16 community. I know what my community needs.

17 MR. LESLEY WILLIAMS: Thanks for your time.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 All right.

20 MS. KELLY CHILDRESS: Thank you.

21 ATTORNEY DAVID CONNER: Mr. Chairman?

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Yes. Yes.

24 ATTORNEY DAVID CONNER: Before he leaves --

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 Yes.

27 MS. KELLY CHILDRESS: Reverend Williams.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 Reverend Williams, just a minute, please.

2 MS. KELLY CHILDRESS: Come back in here,
3 please.

4 ATTORNEY DAVID CONNER: I just want -- I just
5 want to try and help the discussion just briefly, if I
6 can, Mr. Chairman.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 Yes.

9 ATTORNEY DAVID CONNER: It's not -- it's --
10 it's not that the Commission is not providing the
11 services.

12 MR. LESLEY WILLIAMS: You're not. You're
13 walking away from it.

14 ATTORNEY DAVID CONNER: No, no. The services
15 are being provided and delivered at the homes, is that
16 correct, so far as --

17 MS. KELLY CHILDRESS: Correct.

18 ATTORNEY DAVID CONNER: -- the --

19 MS. KELLY CHILDRESS: Homebound.

20 ATTORNEY DAVID CONNER: There is also an
21 opportunity, through the BRATS transportation system, to
22 go to a center in Bay Minette, if someone wants to do
23 that.

24 MR. LESLEY WILLIAMS: Right.

25 ATTORNEY DAVID CONNER: So the services are
26 being provided; okay?

27 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
28 affirmatively.)

1 ATTORNEY DAVID CONNER: Now, there's a
2 disagreement over how they should be delivered. Should
3 there be a center there?

4 MR. LESLEY WILLIAMS: But the --

5 ATTORNEY DAVID CONNER: And what --

6 MR. LESLEY WILLIAMS: But the center
7 provided --

8 ATTORNEY DAVID CONNER: And what they're -- and
9 what they're --

10 MR. LESLEY WILLIAMS: We're not talking food.
11 The center provided a place for our residents to get
12 together, play, talk, play checkers --

13 ATTORNEY DAVID CONNER: And what the --

14 MR. LESLEY WILLIAMS: -- play cards.

15 ATTORNEY DAVID CONNER: And what the Commission
16 is saying is that they provided that opportunity in Bay
17 Minette. They provide transportation to it. And they
18 provide meals as needed. Everything that was being done
19 at that center --

20 MR. LESLEY WILLIAMS: Right.

21 ATTORNEY DAVID CONNER: -- is being delivered
22 to the community, but just in a different way.

23 MR. LESLEY WILLIAMS: I understand.

24 ATTORNEY DAVID CONNER: What some of the
25 discussions talked about today is, is that if that -- if
26 you-all want to have the delivery method different, if
27 you want to have a center back there, that there is a way
28 that that could be done, by a local sponsor --

1 MR. LESLEY WILLIAMS: Right.

2 ATTORNEY DAVID CONNER: -- and that they will
3 help you achieve that goal, if you wanted to try and do
4 it. I know that was a lot for you to hear --

5 MR. LESLEY WILLIAMS: Right. Right.

6 ATTORNEY DAVID CONNER: -- for the first time
7 today.

8 MR. LESLEY WILLIAMS: Right.

9 ATTORNEY DAVID CONNER: But it's -- but it's
10 not a matter of them turning their back. It's a matter
11 of them saying if you want that to happen, we know how we
12 think we can help you make that happen. And they're
13 willing to go to bat for you to do that.

14 So I didn't want you to leave here thinking that
15 they haven't answered you. Because I -- I -- Everybody
16 in the room hears your heart. You care about your
17 community. Everybody knows that.

18 What they're saying is, is that -- You know the old
19 saying, if you keep doing something the same way and you
20 keep getting the same result? You know, here is an
21 opportunity where you guys can maybe come in --

22 MR. LESLEY WILLIAMS: Right.

23 ATTORNEY DAVID CONNER: -- as has been done in
24 other places --

25 MR. LESLEY WILLIAMS: I understand.

26 ATTORNEY DAVID CONNER: -- and help deliver
27 that in such a way that it works for the community.

28 MR. LESLEY WILLIAMS: The -- the board that

1 she's talking about, we've never done it with this board.
2 This is a new board that we've kind of got in Stockton,
3 with myself kind of heading it.

4 So what I -- what I would like to see done, if we
5 try this again, I, myself, is there at the place with the
6 board. The -- Now you've got a board that you didn't
7 have in between the County and the center now.

8 You -- you -- We've never had a board there before.
9 Nobody has ever been there. It's just been kind of your
10 person and my person.

11 ATTORNEY DAVID CONNER: I -- I just think you
12 ought to -- I think you ought to have a chance to talk
13 and meet. And I'll be glad, Kelley, if you want me to
14 help you.

15 MR. LESLEY WILLIAMS: Right.

16 ATTORNEY DAVID CONNER: Just talk about what
17 this option might mean to you and how it might be
18 received by the community --

19 MR. LESLEY WILLIAMS: Right.

20 ATTORNEY DAVID CONNER: -- in a way that makes
21 it -- the likelihood of success better.

22 MR. LESLEY WILLIAMS: I -- I don't think we
23 have any churches in the community that is established
24 with a kitchen that could do that.

25 ATTORNEY DAVID CONNER: Well, I -- They --
26 they --

27 MR. LESLEY WILLIAMS: It's not something --

28 ATTORNEY DAVID CONNER: That was an option.

1 MR. LESLEY WILLIAMS: Right.

2 ATTORNEY DAVID CONNER: The other option was
3 whether or not the County could, through a lease or
4 maybe -- And I -- I didn't -- SARPC may not want to be
5 involved in this. And I wasn't suggesting that SARPC run
6 the program. But I think SARPC has the ability to own
7 property. SARPC can maybe own the property and lease.
8 There's -- there's different --

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 I don't know if --

11 ATTORNEY DAVID CONNER: -- options that might
12 be considered about how to address it. And I think the
13 Commission -- What everyone is saying is they want to try
14 and help. But what they haven't done -- What they've
15 done just hasn't seemed to work. And so this is an
16 option that they want to explore.

17 It that fair enough? Commissioner Ball, is that
18 fair?

19 COMMISSIONER JAMES E. (JEB) BALL: That's fair
20 enough. We'll -- we'll be willing to do whatever it
21 takes to assist you with taking over that center as a
22 community. And I'll -- I'll be -- I'll be right --
23 Because that's my district. And I'll be right there with
24 you, just however you want to --

25 MR. LESLEY WILLIAMS: We -- we -- You know, you
26 got take over. What -- what does take over -- I'm not
27 getting that. I'm -- I'm missing that.

28 COMMISSIONER JAMES E. (JEB) BALL: Okay.

1 MR. LESLEY WILLIAMS: You're saying --

2 COMMISSIONER JAMES E. (JEB) BALL: Okay. Y'all
3 would be -- y'all would be in place of what the County is
4 providing right now. That's what y'all would do.

5 MR. LESLEY WILLIAMS: So we have to pay to --
6 pay to use the building. The community would have to pay
7 a lease or rent to use the building?

8 COMMISSIONER JAMES E. (JEB) BALL: I'm just
9 saying that's -- that's -- like the attorney said, that
10 is an option as well.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 And, you know, and -- and I don't see, you know, we --
13 why we couldn't, you know, as a -- as a community thing,
14 you know, is just they use it, you know. And, you know,
15 I mean, it's -- it's our --

16 COMMISSIONER BILLIE JO UNDERWOOD: A waiver
17 of --

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 And waiver all that. I mean, that's --

20 ATTORNEY DAVID CONNER: You -- you -- you just
21 need to make sure you carry our liability insurance to --

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Yeah.

24 ATTORNEY DAVID CONNER: -- to cover us in
25 the --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 You know, right.

28 ATTORNEY DAVID CONNER: -- event of us --

1 COMMISSIONER BILLIE JO UNDERWOOD: A waiver.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 That's all that's for is --

4 COMMISSIONER BILLIE JO UNDERWOOD: A waiver.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

6 -- liability, you know.

7 ATTORNEY DAVID CONNER: But, look. But what --
8 what I want to make sure is that you -- that you're
9 understanding is the State dollars that are available to
10 run the program, instead of running through the County,
11 would run through them.

12 COMMISSIONER JAMES E. (JEB) BALL: Right.

13 MS. KELLY CHILDRESS: Correct.

14 COMMISSIONER JAMES E. (JEB) BALL: You would
15 get the money.

16 ATTORNEY DAVID CONNER: So you would --

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 Yeah.

19 ATTORNEY DAVID CONNER: The money that the
20 County received as a passthrough to run the program would
21 be shifted to an approved nonprofit agency or whatever it
22 is. And those funds that would be administered to fund
23 the program would be done to you. The dollars would
24 remain the same as it relates from the State.

25 Is that fair, Kelly?

26 MS. KELLY CHILDRESS: Sure. Yes.

27 ATTORNEY DAVID CONNER: Okay. So it's not a
28 matter of just saying, hey --

1 MR. LESLEY WILLIAMS: So the community wouldn't
2 have to come up with the money to pay the lease on the
3 building?

4 ATTORNEY DAVID CONNER: That's the kind of
5 thing the County Commission would have to discuss.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 We can work -- I think it's --

8 COMMISSIONER BILLIE JO UNDERWOOD: I think
9 that's something we could probably --

10 COMMISSIONER JAMES E. (JEB) BALL: Yeah. We
11 could --

12 COMMISSIONER BILLIE JO UNDERWOOD: -- try to
13 work out --

14 COMMISSIONER JAMES E. (JEB) BALL: Sure.

15 COMMISSIONER BILLIE JO UNDERWOOD: -- where
16 that it could be a -- Am I understanding that it wouldn't
17 be a cost for the building as long as you guys sign some
18 type of a waiver, if that went along with our insurance,
19 that we --

20 COMMISSIONER JAMES E. (JEB) BALL: Or instead
21 of a lease --

22 COMMISSIONER BILLIE JO UNDERWOOD: -- wouldn't
23 be liable?

24 COMMISSIONER JAMES E. (JEB) BALL: -- maybe
25 with some of that rent or -- I mean, just something.

26 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
27 affirmatively.)

28 COMMISSIONER JAMES E. (JEB) BALL: I mean,

1 because they're going to be getting --

2 MR. LESLEY WILLIAMS: Right.

3 COMMISSIONER JAMES E. (JEB) BALL: -- the money
4 to spend --

5 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
6 affirmatively.)

7 COMMISSIONER JAMES E. (JEB) BALL: -- for --
8 not only all the other stuff, but --

9 ATTORNEY DAVID CONNER: As far as the grant
10 for --

11 MR. LESLEY WILLIAMS: Right.

12 ATTORNEY DAVID CONNER: -- for the maintenance
13 of the building?

14 MR. RON CINK: For it's the -- it's for the
15 operation of the -- of program --

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 Yeah.

18 MR. RON CINK: -- at that facility --

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Yeah.

21 COMMISSIONER BILLIE JO UNDERWOOD: Like if
22 they --

23 MR. RON CINK: -- if I'm not mistaken.

24 COMMISSIONER BILLIE JO UNDERWOOD: -- need to
25 upgrade.

26 MR. RON CINK: Yeah.

27 ATTORNEY DAVID CONNER: This is one of the kind
28 of things I -- that I sometimes -- will sometimes say the

1 Commissioners say, where there's a will, there's a way.

2 COMMISSIONER JAMES E. (JEB) BALL: That's
3 right.

4 ATTORNEY DAVID CONNER: If you-all have an
5 interest in trying to see that the program goes forward,
6 there may be an avenue that's been discussed amongst the
7 Commission today to help that happen in a way that would
8 be beneficial to everyone.

9 So I don't want you to leave here defeated. I want
10 you to leave here, based on what they've actually said,
11 is they want to try and figure out a way to help. And
12 this was another option, if that makes sense.

13 MR. LESLEY WILLIAMS: Yeah. Well, I -- I'd
14 like to discuss that. And because -- and retable this so
15 I can get -- get my thoughts together. Because this was
16 kind of --

17 COMMISSIONER BILLIE JO UNDERWOOD: Absolutely.

18 MR. LESLEY WILLIAMS: This was all just kind of
19 new.

20 COMMISSIONER BILLIE JO UNDERWOOD: Absolutely.

21 MR. LESLEY WILLIAMS: You guys had discussed
22 something that I wasn't privy of. And so I started
23 getting all these already-thought-through plans. And --
24 and I haven't had a chance for rebuttal.

25 COMMISSIONER BILLIE JO UNDERWOOD: Well --
26 well --

27 MR. LESLEY WILLIAMS: And so it's just kind
28 of -- it's just kind of --

1 COMMISSIONER BILLIE JO UNDERWOOD: So maybe you
2 could go back and think about this.

3 MR. LESLEY WILLIAMS: Right.

4 COMMISSIONER BILLIE JO UNDERWOOD: And -- and
5 you -- Like she said, I -- I'm not from that part of the
6 area. I'm not even sure exactly where your building is
7 at.

8 MR. LESLEY WILLIAMS: Well, it's kind of a poor
9 country. So --

10 COMMISSIONER BILLIE JO UNDERWOOD: No.

11 MR. LESLEY WILLIAMS: -- when we're talking
12 about leasing buildings and --

13 COMMISSIONER BILLIE JO UNDERWOOD: No.

14 MR. LESLEY WILLIAMS: That's probably not going
15 to be an option, because the churches aren't big. The
16 memberships aren't very big. The people don't have much
17 money. So --

18 COMMISSIONER BILLIE JO UNDERWOOD: But --

19 MR. LESLEY WILLIAMS: -- there -- there
20 wouldn't be enough money --

21 COMMISSIONER BILLIE JO UNDERWOOD: -- think
22 about if --

23 MR. LESLEY WILLIAMS: -- I don't think, to
24 contend with lease a building and --

25 COMMISSIONER BILLIE JO UNDERWOOD: But let's
26 don't talk about dollars yet.

27 MR. LESLEY WILLIAMS: Right.

28 COMMISSIONER BILLIE JO UNDERWOOD: See if

1 you've even got people that would be willing and how many
2 people you need for a board.

3 COMMISSIONER JAMES E. (JEB) BALL: Twenty-five
4 (25).

5 COMMISSIONER BILLIE JO UNDERWOOD: No. No. A
6 board.

7 MR. LESLEY WILLIAMS: We've got -- we've got
8 the people --

9 COMMISSIONER BILLIE JO UNDERWOOD: What --

10 MR. LESLEY WILLIAMS: -- to run the place.

11 COMMISSIONER BILLIE JO UNDERWOOD: A board,
12 what -- what does a board consist of?

13 MS. KELLY CHILDRESS: Four to five, I think
14 that's what this --

15 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

16 MS. KELLY CHILDRESS: -- that's what they --
17 And what that board --

18 MR. LESLEY WILLIAMS: Four to five --

19 MS. KELLY CHILDRESS: -- would be in charge of,
20 though, too -- Let's just say if y'all lease the building
21 from the County -- is to keep that facility up.

22 Because, you know, that was one of the issues back
23 in the past is so many people coming in and out of that
24 facility with keys and -- and then it getting filthy and
25 dirty and nasty. And --

26 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
27 affirmatively.)

28 MS. KELLY CHILDRESS: -- so that would have to

1 be a big, big issue with the board. And that's why I say
2 somehow get it away from the County --

3 MR. LESLEY WILLIAMS: Yeah.

4 MS. KELLY CHILDRESS: -- for y'all.

5 MR. LESLEY WILLIAMS: Right.

6 MS. KELLY CHILDRESS: So -- Because, I mean --

7 MR. LESLEY WILLIAMS: Right. We're really --

8 MS. KELLY CHILDRESS: You're going to have to
9 be really strict on that --

10 MR. LESLEY WILLIAMS: Yeah.

11 MS. KELLY CHILDRESS: -- with the meals coming
12 in.

13 MR. LESLEY WILLIAMS: I can oversee the board.
14 I mean, I -- I've been over --

15 COMMISSIONER BILLIE JO UNDERWOOD: Right.
16 You -- you seem --

17 COMMISSIONER JAMES E. (JEB) BALL: So what
18 we'll do is we'll -- we'll convey with our attorney, with
19 our Administrator. We'll work out and see how we can do
20 it where we can arrange that building to be for y'all's
21 use with some kind of agreements that if something
22 happened there, that y'all would be liable, not -- not
23 the County.

24 MR. LESLEY WILLIAMS: Uh-huh. (Indicates
25 affirmatively.)

26 COMMISSIONER JAMES E. (JEB) BALL: How about
27 that?

28 MR. LESLEY WILLIAMS: I'd like that.

1 COMMISSIONER JAMES E. (JEB) BALL: All right.

2 MR. LESLEY WILLIAMS: So --

3 MS. KELLY CHILDRESS: And I'll be happy to help
4 you with SARPC.

5 MR. LESLEY WILLIAMS: So what is -- what --
6 what's our next step on this? How do we go and move
7 forward with this?

8 COMMISSIONER JAMES E. (JEB) BALL: Well, this
9 is going to come to our meeting that'll be coming up on
10 January the 15th.

11 COMMISSIONER BILLIE JO UNDERWOOD: Next
12 Tuesday.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 Well, it doesn't have to. We can postpone it, if you
15 want to, just to --

16 COMMISSIONER BILLIE JO UNDERWOOD: We can
17 postpone it.

18 COMMISSIONER JAMES E. (JEB) BALL: Pull it?

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 You know, just -- I'm saying until -- until they get an
21 opportunity to --

22 COMMISSIONER JAMES E. (JEB) BALL: Pull it for
23 another work --

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 Yeah.

26 COMMISSIONER JAMES E. (JEB) BALL: -- to
27 another session?

28 COMMISSIONER BILLIE JO UNDERWOOD: It'd be --

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

2 Yeah.

3 COMMISSIONER BILLIE JO UNDERWOOD: -- a couple
4 of weeks away.

5 MR. LESLEY WILLIAMS: Yeah.

6 COMMISSIONER BILLIE JO UNDERWOOD: Two weeks
7 away would be another work session.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 And let them have an opportunity --

10 COMMISSIONER BILLIE JO UNDERWOOD: Maybe you
11 can go and talk to your community --

12 MR. LESLEY WILLIAMS: Yeah. I'll do that
13 today --

14 COMMISSIONER BILLIE JO UNDERWOOD: -- and
15 see --

16 MR. LESLEY WILLIAMS: -- or tomorrow.

17 COMMISSIONER BILLIE JO UNDERWOOD: -- see, you
18 know. And -- and -- and try -- try to understand that we
19 do care.

20 MR. LESLEY WILLIAMS: Okay.

21 COMMISSIONER BILLIE JO UNDERWOOD: I care.
22 Some of the S.A.I.L. centers in Baldwin County are run by
23 Municipalities.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 Uh-huh. (Indicates affirmatively.)

26 MR. LESLEY WILLIAMS: Yeah. Okay.

27 COMMISSIONER BILLIE JO UNDERWOOD: So okay.

28 MR. LESLEY WILLIAMS: So we'll be the next work

1 session or the work session after that? When -- when --

2 COMMISSIONER JAMES E. (JEB) BALL: It'll be
3 the --

4 COMMISSIONER BILLIE JO UNDERWOOD: The -- At
5 least two weeks.

6 MR. LESLEY WILLIAMS: Okay.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 Uh-huh. (Indicates affirmatively.)

9 COMMISSIONER BILLIE JO UNDERWOOD: You can
10 check in with --

11 MS. KELLY CHILDRESS: And in -- in between, do
12 you want me to help --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 Yes.

15 COMMISSIONER BILLIE JO UNDERWOOD: Why don't
16 you --

17 MS. KELLY CHILDRESS: -- Pastor Williams get in
18 touch with like --

19 COMMISSIONER BILLIE JO UNDERWOOD: Please.

20 MS. KELLY CHILDRESS: -- Julie and see what --
21 how we get this going --

22 MR. LESLEY WILLIAMS: Okay.

23 MS. KELLY CHILDRESS: -- how many for sure
24 board members and how we need to go about that.

25 MR. LESLEY WILLIAMS: Good.

26 MS. KELLY CHILDRESS: And I'll help y'all.

27 MR. LESLEY WILLIAMS: Okay.

28 MS. KELLY CHILDRESS: I don't have a problem

1 with that.

2 MR. LESLEY WILLIAMS: Okay.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 And Ms. McGee will come to you. You don't have to go to
5 her. She will come to you.

6 MR. LESLEY WILLIAMS: Okay.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 I mean, that's -- you know, that's just the way she --
9 they operate over there. They -- You know, it's -- They
10 do a good job with it.

11 I mean, they got centers all over Mobile, completely
12 all over Mobile County. And they've got them in, what,
13 Escambia County --

14 MS. KELLY CHILDRESS: Uh-huh. (Indicates
15 affirmatively.)

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 -- you know. And they've got -- they've got them all.
18 They know how to handle it. And they've got a way of --
19 of doing it. So --

20 MR. LESLEY WILLIAMS: Okay. All right.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 I want -- I want -- I want -- I want -- I -- I want our
23 folks to have the same as everybody else does, you know.
24 And if we can -- if we can work that out, I think it's --
25 it's -- it's a good idea. So --

26 MR. LESLEY WILLIAMS: Okay. So what date was
27 that on, a couple of weeks out?

28 COMMISSIONER BILLIE JO UNDERWOOD: The 22nd.

1 MR. LESLEY WILLIAMS: Is that the one in Bay
2 Minette, the 2nd?

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 It -- it'll be back here.

5 MR. LESLEY WILLIAMS: The 22nd.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 The 22nd we'll be back here again. Yeah. For the --
8 It's a -- it'll be a workshop, just like this.

9 MR. LESLEY WILLIAMS: Okay.

10 COMMISSIONER JAMES E. (JEB) BALL: Hey, if --
11 with my -- the attorney's advisement, I would be willing
12 to come up to the Vaughn Center, if you want to set up a
13 night date to have the community show up out there. And
14 I'll -- I can explain it to them as well what we've been
15 talking about.

16 MR. LESLEY WILLIAMS: I think the board --
17 I'd -- I'd like for the board -- the board, I'd like for
18 you to discuss it with them. Because a lot of them, it
19 may be over their head.

20 COMMISSIONER BILLIE JO UNDERWOOD: That's a
21 good idea. That's a good idea.

22 MR. LESLEY WILLIAMS: I'd -- I would like to do
23 that, you --

24 COMMISSIONER JAMES E. (JEB) BALL: Yeah.

25 MR. LESLEY WILLIAMS: -- to talk to the board.

26 COMMISSIONER JAMES E. (JEB) BALL: Do you want
27 to meet wherever, your church or -- or whatever?

28 MR. LESLEY WILLIAMS: Oh, we can meet at my

1 church.

2 COMMISSIONER JAMES E. (JEB) BALL: I'll give
3 you my information.

4 MR. LESLEY WILLIAMS: Good. Okay.

5 COMMISSIONER JAMES E. (JEB) BALL: Give me a
6 call --

7 MR. LESLEY WILLIAMS: Okay.

8 COMMISSIONER JAMES E. (JEB) BALL: -- and --
9 and we'll set something up.

10 MR. LESLEY WILLIAMS: Okay.

11 ATTORNEY DAVID CONNER: All right. If I can
12 help with those discussions --

13 COMMISSIONER JAMES E. (JEB) BALL: All right.

14 ATTORNEY DAVID CONNER: -- I'll be glad to.

15 COMMISSIONER JAMES E. (JEB) BALL: It was good
16 seeing you.

17 MR. LESLEY WILLIAMS: Yeah. Thank y'all.
18 Thank you.

19 ATTORNEY DAVID CONNER: Commissioner Ball, if I
20 can help with those discussions, I'll be glad to.

21 COMMISSIONER JAMES E. (JEB) BALL: All right.
22 Thank you.

23

24 **L-1 - RE-NAMING OF THE NORTH BALDWIN COUNCIL ON AGING**

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 Okay. Let's see now. Where'd we leave off? Okay. All
27 right. Next I guess is Personnel.

28 COMMISSIONER BILLIE JO UNDERWOOD: Well, L-1.

1 Are we going backwards?

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 No.

4 COMMISSIONER BILLIE JO UNDERWOOD: We went to

5 L-2.

6 MS. KELLY CHILDRESS: I don't --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

8 L-2? Well, it was --

9 MS. KELLY CHILDRESS: I don't think we need to
10 rename it --

11 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

12 MS. KELLY CHILDRESS: -- until --

13 COMMISSIONER BILLIE JO UNDERWOOD: I was just
14 making sure we weren't skipping you. That's --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

16 Yeah. Yeah. Yeah.

17 COMMISSIONER BILLIE JO UNDERWOOD: Okay. Thank
18 you.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

20 Both of those -- yeah.

21 COMMISSIONER BILLIE JO UNDERWOOD: All right.

22 Good deal.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

24 Okay.

25 MS. KELLY CHILDRESS: Thank you.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

27 Yeah. Personnel.

28 COMMISSIONER BILLIE JO UNDERWOOD: Watching out

1 for you over there.

2 COMMISSIONER JAMES E. (JEB) BALL: Thanks,
3 Kelly.

4 MS. KELLY CHILDRESS: Thank you.

5

6 **O-1 - HIGHWAY DEPARTMENT (PRE-CONSTRUCTION) - POSITION CHANGE**

7 MS. DEIDRA HANAK: This is a Highway --
8 recommendation from Highway. We'd like to abolish the
9 Design Technician II and create a Design Technician I
10 position. This will result is a savings of a little over
11 thirteen thousand dollars (\$13,000) to do this. And Joey
12 has a good explanation why he wants to do this.

13 MR. JOEY NUNNALLY: Yeah. So, honestly, the --
14 the type -- the -- the Engineering Tech II's are hard to
15 find. They're hard to find, especially in this economy
16 that we're in.

17 And we've got a lot of people interested in Tech I
18 positions. And we've interviewed and got a good
19 candidate. And he's -- he's accepted the Tech I position
20 at the entry level. And we're really excited to have
21 him.

22 So -- so we -- we -- we just felt that it would be
23 a -- a better decision to downgrade from a II to a I and
24 have a little cost savings and let him work his way up to
25 a II.

26 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

27 COMMISSIONER JAMES E. (JEB) BALL: Consent.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 All right. Consent.

2 COMMISSIONER BILLIE JO UNDERWOOD: Consent.

3

4 **Q-5 - CITY OF ROBERTSDALE UTILITIES - PARTICIPATION IN THE**

5 **NEIGHBORS HELPING NEIGHBORS PROGRAM**

6 COMMISSIONER JAMES E. (JEB) BALL: What's
7 these? Mr. Chairman, what are these? The --

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 Oh.

10 COMMISSIONER JAMES E. (JEB) BALL: The -- I
11 mean --

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Okay. The middle one is the -- I guess it's the City of
14 Robertsdale utilities?

15 MR. RON CINK: Yeah. Yeah. All that is, is
16 the -- Commissioners, the City of Robertsdale has a
17 participation program where they round the utility bill
18 and use it for folks that don't have enough money to
19 cover their power bills and so forth and so on.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 It's the same thing that --

22 COMMISSIONER BILLIE JO UNDERWOOD: EMC does.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 -- EMC does.

25 MR. RON CINK: It's the same thing as EMC. And
26 recently the Commission approved EMC on this. This is
27 following up now with the City --

28 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

1 MR. RON CINK: -- the City of Robertsdale.
2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
3 Okay.
4 COMMISSIONER JAMES E. (JEB) BALL: Consent.
5 COMMISSION CHAIRMAN CHARLES SKIP GRUBER:
6 Consent. All right.

7
8 **Q-6 - CARE HOUSE, INC. TRANSPARENTING SEMINARS SCHEDULE FOR 2019**

9 MR. RON CINK: And Q-6 is CARE House, which is
10 transparenting seminars, just letting you know that
11 they'll be in the chambers.

12 COMMISSIONER JAMES E. (JEB) BALL: Consent.
13 COMMISSIONER BILLIE JO UNDERWOOD: All right.
14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 Okay. Consent.

16
17 **R-5 - REQUEST FOR THE USE OF BALDWIN COUNTY CENTRAL ANNEX PARKING**

18 **LOT - SONNENSCHNEIN REGION OF THE PORSCHE CLUB OF AMERICA**

19 **AUTOCROSS**

20 MR. RON CINK: And then there's a couple of
21 addenda.
22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Okay. Let's get them.
24 COMMISSIONER BILLIE JO UNDERWOOD: All right.
25 MR. RON CINK: There's a request for -- for
26 this parking lot, dealing with the -- I can never
27 pronounce it, but the Porsche Club.
28 COMMISSIONER BILLIE JO UNDERWOOD: I see no

1 reason to continue that. I mean, like, is this something
2 that we are offering? Can you give me a reason why we
3 were doing this in the past?

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 It was just requested, and it was just voted on by the --
6 by the Commission to do it, you know.

7 COMMISSIONER BILLIE JO UNDERWOOD: I've been
8 approached by people who work in this building. I've
9 been approached by people who are outside the community.
10 And there's a lot of unhappy people with the fact that
11 the County allows that in this parking lot.

12 The people in this building have -- One of the first
13 days I walked in here to see my office after being sworn
14 in, the people that worked in this building were very
15 upset, for the most part.

16 And then I was at a fire chief's meeting the other
17 night. And a gentleman that's a fire chief walked up and
18 said if we allow this to start, we need to allow
19 everybody to use our parking lots on the weekends. So --

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 Okay.

22 COMMISSIONER BILLIE JO UNDERWOOD: -- I just
23 don't think this should be a Consent item.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 Okay.

26 COMMISSIONER BILLIE JO UNDERWOOD: If this
27 is -- is this -- If you -- Would this be something, if
28 it's not on Consent, that we put on the agenda to discuss

1 in an open meeting or --

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 Yep, we can, you know.

4 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

6 And we can -- you know, we can put it on Other Staff
7 Recommendations.

8 MR. RON CINK: Other Staff.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

10 Other Staff. And then, you know, everybody will have a
11 chance to -- to say what you want to say about it. So --

12 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

13 That's fine.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

15 Okay. All right.

16

17 **R-6 - REQUEST FROM the BALDWIN COUNTY BOARD OF EDUCATION FOR**
18 **APPROVAL ON RENOVATIONS AT THE BALDWIN COUNTY BOARD OF EDUCATION**
19 **BUILDING LOCATED AT 2600 HAND AVENUE, BAY MINETTE, ALABAMA**

20 MR. RON CINK: The other addenda,
21 Commissioners, is a request from the Board of Education
22 regarding the Hand Avenue building.

23 They -- they're asking your permission to be able to
24 do some renovations in your building. They're going to
25 pay for the renovations.

26 Attached is their letter of request. And what would
27 come back to the Commission would be --

28 COMMISSIONER BILLIE JO UNDERWOOD: I -- I'd say

1 Consent.

2 COMMISSIONER JAMES E. (JEB) BALL: I'm Consent.

3 COMMISSIONER BILLIE JO UNDERWOOD: Consent on
4 that one.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
6 Okay. All right.

7 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

8

9 **Q-3 - BALDWIN COUNTY INTRACOASTAL WATERWAY (ICW) BOAT LAUNCH**

10 **PROJECT**

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

12 So that leaves us now with the --

13 MR. RON CINK: Yeah.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

15 Well, we -- I'll tell you what. Let's -- on the Baldwin
16 County Intercoastal waterway thing, basically, you know,
17 I think everything is still moving in right thing.

18 And on the 15th, I know we need to probably just,
19 you know, take something, kind of action, if nothing
20 else, you know, more or less, you know, allowing the
21 Chairman or whatever -- having the Chairman be able to --
22 on the -- on that 29th, either pull the plug or --

23 COMMISSIONER BILLIE JO UNDERWOOD: Seek an
24 extension.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

26 -- or -- or -- or -- or if we can have a special
27 meeting, you know, before that --

28 MR. RON CINK: You have to have --

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
2 -- if we have -- if we have enough time to go forward.
3 Because there are some things that are still working, you
4 know, trying to get this thing to a head.

5 I mean, you know, we're -- we're requesting another
6 forty-five (45) days. So -- And it looks like we're
7 going to get that. So that would move us a little bit
8 further along. So that's basically where -- where we
9 stand on that.

10 MS. KIM CREECH: You just need an agenda
11 authorizing you to --

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Yes.

14 MS. KIM CREECH: -- execute --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Yes.

17 MR. RON CINK: Any documentation associated
18 for --

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Yeah. With the --

21 MS. KIM CREECH: -- an extension.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 With the --

24 COMMISSIONER JOE DAVIS III: For an extension.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 Yeah.

27 MR. RON CINK: Okay.

28 COMMISSIONER JOE DAVIS III: That's --

1 MR. RON CINK: Okay.

2 MS. KIM CREECH: If y'all decide to cancel,
3 there will be an emergency meeting --

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 Yeah.

6 MS. KIM CREECH: -- or a special meeting to
7 come up to --

8 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 Yeah.

11 MR. RON CINK: Okay.

12 COMMISSIONER BILLIE JO UNDERWOOD: I think
13 based on whatever the seller comes back with on the
14 extension; right?

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 On the extension, yes. And they're working on that very
17 hard. I mean, it's just a matter of just opening days so
18 we can have the --

19 MR. RON CINK: Yeah. Just remember there's a
20 timeline for advertisement --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 Oh, yeah.

23 MR. RON CINK: -- for an open meeting.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 Yeah. Yeah.

26 MR. RON CINK: Okay.

27 MR. JOEY NUNNALLY: It's just -- from an --
28 from the -- an update on their appraisal standpoint, we

1 still have not got ADEM's complete clearance on all the
2 environmental issues down there so which, obviously --

3 COMMISSIONER BILLIE JO UNDERWOOD: That's part
4 of it.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
6 That's part of it.

7 COMMISSIONER BILLIE JO UNDERWOOD: That's why
8 we --

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 That's part of it, why we're trying to get --

11 COMMISSIONER BILLIE JO UNDERWOOD: We're trying
12 to get --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 -- the extension.

15 COMMISSIONER BILLIE JO UNDERWOOD: -- an
16 extension that wouldn't put the County in any more
17 jeopardy. But we still could --

18 MR. JOEY NUNNALLY: Okay.

19 COMMISSIONER BILLIE JO UNDERWOOD: -- be the
20 same terms as the January 30th deadline. But it would
21 give us --

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Forty-five (45) more days.

24 COMMISSIONER BILLIE JO UNDERWOOD: -- an
25 additional forty-five (45) more days under the -- the
26 same terms, I understood --

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 Yeah.

1 COMMISSIONER BILLIE JO UNDERWOOD: -- as
2 January 30th.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 Yeah.

5 COMMISSIONER JOE DAVIS III: Are ADEM's
6 project, relative to this, does it have a timeline? Have
7 they shared with us when they'll have all their stuff
8 done?

9 MR. JOEY NUNNALLY: No. They -- they've given
10 us a letter, basically given us a -- I guess a
11 conditional use letter, I think, would be the best way to
12 explain that --

13 COMMISSIONER JOE DAVIS III: Uh-huh. (Indicates
14 affirmatively.)

15 MR. JOEY NUNNALLY: -- just to say they're okay
16 with a boat launch type facility. But that letter
17 doesn't help the appraisal as much as a clear letter --

18 COMMISSIONER JOE DAVIS III: Sure.

19 MR. JOEY NUNNALLY: -- of clearance would help
20 the appraisal value. Because when you're looking at it
21 from an appraisal standpoint, their -- their rules --
22 their rules are they have to evaluate it on its highest
23 and best use.

24 COMMISSIONER JOE DAVIS III: Right.

25 MR. JOEY NUNNALLY: Well, if you get a letter
26 for a boat launch, that's its highest and best use. But
27 if you get a letter for a high-rise facility, that's its
28 highest and best use. Does that make sense?

1 COMMISSIONER JOE DAVIS III: Yeah.

2 MR. JOEY NUNNALLY: So -- so that's going to
3 help us if we get that ADEM clearance.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 And they just have not published that. I -- and I think
6 they're looking for more data from --

7 MR. JOEY NUNNALLY: More data.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 What is it?

10 MR. JOEY NUNNALLY: Teracom.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 Teracom. Yeah. Teracom. Yeah. So -- Okay.

13 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 All right. All right. Let's take a ten-minute break
16 real quick. And then we'll --

17 COMMISSIONER JAMES E. (JEB) BALL: All right.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 -- move into the other.

20 COMMISSIONER JAMES E. (JEB) BALL: Good.

21
22 (A recess was taken at 10:19 a.m.)

23 (The Baldwin County Commission Work Session resumed at
24 10:32 a.m.)

25
26 **Q-4 - APPOINTED CONTRACT EMPLOYEES - CONSIDERATIONS RELATED TO**
27 **EMPLOYEE CONTRACTS**

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 All right. I guess we'll go ahead. And everybody is in
2 here. We'll go ahead and get started.

3 Commissioners, you know, what -- what we've got now
4 is the employee contracts. And y'all have seen the
5 revisions that our attorney made.

6 And if y'all have got any comments on this contract
7 as far as, you know, what we looked at, I mean, the
8 Commissioners, and then, you know, I want -- I want, you
9 know, the employees to also be able to say something on
10 it also.

11 Y'all got -- last night got your copy of it. I know
12 it was a bad night to -- to send it out. But --

13 MR. JOEY NUNNALLY: It was a great night.

14 COMMISSIONER BILLIE JO UNDERWOOD: It was just
15 a bad night.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 But, anyway, you know, I hope everybody had an
18 opportunity to at least --

19 COMMISSIONER BILLIE JO UNDERWOOD: It ain't
20 helping you.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 -- review it just -- just a little bit --

23 COMMISSIONER JOE DAVIS III: Enjoy the moment.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 -- and see if there's any -- and if y'all have any --
26 anything that, you know, concerns y'all that, you know,
27 we need to know.

28 COMMISSIONER BILLIE JO UNDERWOOD: Red.

1 COMMISSIONER JAMES E. (JEB) BALL: I've -- I've
2 got one question for the attorney.

3 ATTORNEY DAVID CONNER: Yes, sir.

4 COMMISSIONER JAMES E. (JEB) BALL: Because the
5 law is stated in their contract, and Code 45-2-120.12 is
6 a code that provides -- it says in this paragraph: The
7 following -- the next word -- shall be appointed contract
8 employees: County Administrator, EMA Director, Juvenile
9 Detention Director, Personnel Director, Building
10 Official, Clerk/Treasurer, County Engineer, Develop and
11 Environmental Director, Budget Director, and
12 Communication and Information Systems Director. Each of
13 these appointed contract employees shall be employed
14 under the contract with this Commission.

15 All right. That outlines ten people by statute.
16 Now, I know what the last Commission did. And the last
17 Commission bundled up two into one because of an exiting
18 of a -- of one of these positions.

19 Now, my legal question is -- is, by statute, it
20 requires ten. Can we legally keep going on with nine?

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 It's ten positions. It doesn't mean it's ten bodies.
23 Ten positions is what the --

24 COMMISSIONER JAMES E. (JEB) BALL: But the law
25 says it shall.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 But -- but it is. But it's -- it's a position. It's
28 not --

1 ATTORNEY DAVID CONNER: I'll tell you what I'd
2 like to do, if possible --

3 COMMISSIONER JAMES E. (JEB) BALL: Yes, sir.

4 ATTORNEY DAVID CONNER: -- if y'all will allow
5 me, is that something -- is that a point we could bring
6 up and -- and talk about in executive session briefly, or
7 do y'all need to talk about it out here?

8 COMMISSIONER JAMES E. (JEB) BALL: We can talk
9 about it in executive session.

10 ATTORNEY DAVID CONNER: And then we -- Okay. I
11 just want to make sure that -- that I'm understanding all
12 the ramifications and where we are on that.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 Okay.

15 COMMISSIONER JOE DAVIS III: And understand
16 that we're not throwing rocks at the prior --

17 ATTORNEY DAVID CONNER: Right. I understand.

18 COMMISSIONER JOE DAVIS III -- ones, but --

19 ATTORNEY DAVID CONNER: That's why I --

20 COMMISSIONER JOE DAVIS III: -- we want to make
21 sure that anything that we're assuming or taking --

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Yeah.

24 COMMISSIONER JOE DAVIS III: -- to go forward
25 is totally and completely within what we're --

26 ATTORNEY DAVID CONNER: I agree.

27 COMMISSIONER JOE DAVIS III: -- allowed and
28 required to do.

1 ATTORNEY DAVID CONNER: If we could take that
2 up in executive session, that'd be good, to make sure I
3 understand the whole question.

4 MR. CLIFF McCOLLUM: What part of the law are
5 you going to say to take that into executive session?

6 ATTORNEY DAVID CONNER: That's going to be the
7 legal ramifications of and legal options. We have an
8 employee that's pending right now in this. Depending on
9 that answer, it could affect that employment.

10 I just need to talk with them briefly about what
11 that is. Course of conduct could result in litigation.

12 MR. CLIFF McCOLLUM: Okay.

13 ATTORNEY DAVID CONNER: Briefly.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 Okay.

16 ATTORNEY DAVID CONNER: Okay.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 Do y'all want -- do you want to do that now --

19 ATTORNEY DAVID CONNER: Do you want to do that
20 now?

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 -- or -- or do y'all want to do that now --

23 ATTORNEY DAVID CONNER: Okay.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 -- or just --

26 COMMISSIONER BILLIE JO UNDERWOOD: Executive
27 session?

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 Yeah. Do this real quick?

2 MR. JOEY NUNNALLY: We've got a -- we've got
3 couple of other items to discuss.

4 COMMISSIONER JOE DAVIS III: Oh, we have some
5 other items --

6 ATTORNEY DAVID CONNER: We do --

7 COMMISSIONER JOE DAVIS III: -- in executive
8 session?

9 ATTORNEY DAVID CONNER: We do. If -- if you --
10 if you went into executive session now to discuss that, I
11 would just discuss that one item, and then we'd go back
12 into executive session for the other items.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 Oh, okay. So --

15 ATTORNEY DAVID CONNER: That's --

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 -- is this -- does this -- I mean, is this going to hold
18 us up from getting these contracts out today? That's --
19 that's the question I've got. These have got to be done,
20 you know. We -- You know, we're running up on a -- a
21 timeline to get these done.

22 ATTORNEY DAVID CONNER: I --

23 COMMISSIONER JAMES E. (JEB) BALL: I don't
24 think -- I think the only timeline, Mr. Chairman, that
25 we're running up against is the -- the one-month
26 severance if they pass the ninety (90) days.

27 If something does happen and they decide to leave,
28 we pay them one month severance. I -- I really -- I

1 mean, what -- what's happened is, is you've got -- we've
2 got a body -- a -- a -- a Commission here. We've got
3 three new ones. And I don't -- I mean, it's under my
4 impression that nothing has to be done today.

5 We're still in the decisionmaking process. I know
6 everybody would like things to be done today. But I know
7 this is something that's going to take a -- maybe a
8 little while longer for all four of us to agree on.

9 And we may disagree along the way. But it's hard to
10 do these things because of the -- of the Open Meetings
11 Act. And we can't discuss it anymore. And --

12 ATTORNEY DAVID CONNER: Mr. Chairman, I -- I
13 think -- I think if -- I think this is a five- to
14 ten-minute discussion if you want to go into executive
15 session to discuss that item real quick. And then we can
16 come back and finish the rest of the discussion of -- of
17 everything else.

18 COMMISSIONER BILLIE JO UNDERWOOD: Before we go
19 into executive session, can I ask if this -- I have a
20 question about this actual statute and actually exploring
21 getting the --

22 ATTORNEY DAVID CONNER: Well, let's --

23 COMMISSIONER BILLIE JO UNDERWOOD: Is that
24 something that's --

25 ATTORNEY DAVID CONNER: Let's talk -- let's --

26 COMMISSIONER BILLIE JO UNDERWOOD: Is
27 that something --

28 COMMISSIONER JOE DAVIS III: That would be the

1 executive session.

2 ATTORNEY DAVID CONNER: Let me talk -- let
3 me -- Y'all apparently have some legal questions about
4 the statute.

5 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

6 ATTORNEY DAVID CONNER: Let's talk about
7 that --

8 COMMISSIONER BILLIE JO UNDERWOOD: I have
9 questions about --

10 ATTORNEY DAVID CONNER: -- in executive
11 session.

12 COMMISSIONER BILLIE JO UNDERWOOD: -- the
13 actual statute.

14 ATTORNEY DAVID CONNER: And, to the extent that
15 we can, we'll stay in. And if we can't, we'll have to
16 come back into open meeting.

17 COMMISSIONER BILLIE JO UNDERWOOD: Okay. Okay.

18

19 **R-7 - REQUEST FOR EXECUTIVE SESSION**

20 ATTORNEY DAVID CONNER: So I want to make a
21 recommendation if -- Mr. Chairman, if that's okay with
22 you.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 Yes, sir.

25 ATTORNEY DAVID CONNER: -- that we go into
26 executive session in accordance with Alabama Code Section
27 36-25A-7(a)(1) to discuss the general reputation and
28 character, physical condition, professional competence or

1 mental health of individuals or subject to the
2 limitations setout herein to discuss the job performance
3 of certain public employees.

4 Also, in accordance with Section 3, to discuss with
5 your attorney the legal ramifications of and legal
6 options for pending litigation, controversies not yet
7 being litigated but imminently likely to be litigated or
8 imminently likely to be litigation if the governmental
9 body pursues a proposed course of action.

10 It is anticipated the executive session will last
11 approximately ten minutes, at which time you will
12 reconvene this work session. I make the oral declaration
13 that the discussion is appropriate for executive session.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 Okay. And you've heard our -- our attorney's
16 recommendation.

17 COMMISSIONER JAMES E. (JEB) BALL:
18 Mr. Chairman, I make a motion that we go into executive
19 session.

20 COMMISSIONER JOE DAVIS III: I'll second that.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 All right. There's been a motion made by Commissioner
23 Ball and seconded by Commissioner Davis to go into
24 executive session for roughly ten minutes. And we will
25 return. Any further discussion?

26 (No response.)

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 If not, all in favor, signify by saying aye.

1 (Commissioners say "aye" in unison.)

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 Opposed?

4 (No response.)

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

6 The ayes have it.

7

8 (The Baldwin County Commission Work Session was recessed into
9 Executive Session at 10:39 a.m.)

10 (The Baldwin County Commission Work Session resumed at
11 10:56 a.m.)

12

13 ATTORNEY DAVID CONNER: Mr. Chairman, if I may,
14 to help us get back in, if that's okay.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

16 Yes. Go ahead, please.

17 ATTORNEY DAVID CONNER: A question arose
18 amongst several questions about the requirements of Title
19 Section 45-2-120.12, which is the Merit System Provisions
20 for Baldwin County that address appointed contract
21 employees.

22 And in that statute, it does say that the following
23 shall be appointed contract employees, and then it lists
24 a number of employees or positions that are to be
25 appointed contract employees.

26 The previous Commission had combined one position --
27 two positions, being County Administrator and Building
28 [sic] Director into a --

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
2 Budget. Budget.

3 COMMISSIONER JOE DAVIS III: Budget Director.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 Budget.

6 ATTORNEY DAVID CONNER: I'm sorry. Budget
7 Director -- County Administrator and Budget Director in
8 one -- in one provision, I think, initially starting as
9 an interim. But then at some point in time, it may have
10 been made permanent in one person.

11 The statute says that those employees shall be
12 appointed contract employees, which basically, in one
13 interpretation, means that they're not merit system, as
14 all other employees other than the appointed contract
15 employees are.

16 In this case, I would say that the Commission is --
17 is -- is -- has been okay in -- in appointing one person
18 to serve in those two positions, because I think the
19 plain language of the statute is met. It says shall be
20 appointed contract employees. And so they have chosen to
21 appoint one person in those two positions.

22 However, it does list ten persons. And if you
23 wanted to have full clarity on that, whether or not they
24 have to be ten separate persons, we could ask for an
25 Attorney General's opinion to get further clarity on
26 that.

27 At the end of the day, I would say as I always do.
28 I try to reserve or it'd be my recommendation to reserve

1 as much discretion in you-all as we can, subject to
2 applicable laws.

3 And I think the propriety of positions being
4 combined or separated or -- or what the job duties of
5 each of those particular named employee are is within
6 your discretion and up to your ultimate decision and
7 policy. So I hope that's helpful.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 Okay. Now, is everybody -- Okay. All right. Now, we're
10 talking about these contracts now. We do have two
11 individuals, which is the Personnel Director and the EMA
12 Director, which are interim right now. So -- And I think
13 y'all want to address that separately, Commissioners?

14 COMMISSIONER BILLIE JO UNDERWOOD: Uh-huh.
15 (Indicates affirmatively.)

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 Okay.

18 COMMISSIONER JOE DAVIS III: Yes, sir.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 So basically, you know, if y'all -- y'all can be excused
21 at this point. And, you know, we're going to -- You
22 know, I think the body has said they want to go ahead and
23 look at interviewing, possibly, for this. I'm, you
24 know -- you know --

25 COMMISSIONER BILLIE JO UNDERWOOD: I -- I would
26 like to open those positions up to interviews. And so
27 those contracts wouldn't be decided along with the other
28 eight. Is that --

1 COMMISSIONER JOE DAVIS III: That's right.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 Okay.

4 COMMISSIONER JOE DAVIS III: Yeah. We can't do

5 motions in here.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

7 I know. But, no, but, I mean --

8 COMMISSIONER BILLIE JO UNDERWOOD: No. But I

9 meant --

10 COMMISSIONER JOE DAVIS III: I concur.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

12 No. Just, you know, for -- for clarity --

13 COMMISSIONER BILLIE JO UNDERWOOD: So --

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

15 -- I just want y'all to know, you know, that. That's,

16 you know --

17 COMMISSIONER JOE DAVIS III: Sure.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

19 At this point, it's --

20 COMMISSIONER JOE DAVIS III: And that has

21 nothing to do with --

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

23 Nothing to do with y'all's --

24 COMMISSIONER JOE DAVIS III: -- the existing

25 personalities or performance. But it's part of a process

26 that we feel like or I feel like -- And I think the

27 others do -- that we need to go through so the public

28 knows that we're going through the process.

1 And we'll seek applicants and then go through an
2 interview process. And I feel very comfortable that the
3 two of y'all will do fine. But we've got to be able to
4 share with the people that put us in office the process.
5 And the process is what needs to be done.

6 MR. JESSIE PEACOCK: Just so I understood what
7 y'all said, we can be dismissed, and y'all are just going
8 to pretty much post our job? So it'll be brought back.
9 It won't be brought to the table, that we can go back to
10 work right now?

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 Yeah. Y'all can go back to work. It's not --

13 COMMISSIONER JOE DAVIS III: Yeah.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 -- about --

16 COMMISSIONER JOE DAVIS III: Oh, yeah. Yeah.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 What I'm saying is y'all can -- you're released from this
19 meeting --

20 MR. JESSIE PEACOCK: Thank you.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 -- to go back to your job.

23 MR. JESSIE PEACOCK: I didn't know if you
24 wanted us to go in there and wait again.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 No. No. No.

27 MR. JESSIE PEACOCK: It's -- We're released
28 from this meeting?

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

2 Yes. We're --

3 MR. JESSIE PEACOCK: And we'll pretty much wait
4 until y'all post the positions and apply for it. And --

5 COMMISSIONER JOE DAVIS III: That's right.

6 MR. JESSIE PEACOCK: Okay. Thank y'all.

7 COMMISSIONER JOE DAVIS III: Thank you.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

9 Okay. Commissioners, where do y'all want to start now?

10 ATTORNEY DAVID CONNER: Mr. Chairman, before --
11 before you get into the individuals, Ron raised a point
12 yesterday on the contracts that I wanted to make sure we
13 talked about. And that was, we had cleared up the
14 longevity thing.

15 MR. RON CINK: Uh-huh. (Indicates
16 affirmatively.)

17 ATTORNEY DAVID CONNER: And I think that it --
18 it has always been interpreted and implied when it says
19 that the employees, upon their severance, upon
20 termination, will receive all other paid benefits of the
21 other employees, which has been vacation pay --

22 MR. RON CINK: Uh-huh. (Indicates
23 affirmatively.)

24 ATTORNEY DAVID CONNER: -- and then approved
25 sick leave in accordance with RSA --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

27 Uh-huh. (Indicates affirmatively.)

28 ATTORNEY DAVID CONNER: -- which would be --

1 MR. RON CINK: In -- in accordance --

2 ATTORNEY DAVID CONNER: -- with RSA.

3 MR. RON CINK: In accordance with Commission
4 policy.

5 ATTORNEY DAVID CONNER: Commission policy. And
6 this is three hundred (300) and --

7 MR. RON CINK: Yeah.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 Yeah.

10 MR. RON CINK: It's fifteen (15) -- fifteen
11 (15) years with the Commission and twenty-five (25) years
12 with RSA.

13 ATTORNEY DAVID CONNER: That's right.

14 MR. RON CINK: Eligible to half of the sick up
15 to three hundred and twenty (320) hours.

16 ATTORNEY DAVID CONNER: Right.

17 MR. RON CINK: Okay. And just for -- as a
18 point of clarification, to protect the Commission in this
19 one --

20 ATTORNEY DAVID CONNER: That's right.

21 MR. RON CINK: Okay.

22 ATTORNEY DAVID CONNER: So that you-all know,
23 it -- it came up with -- And -- and the reason is you
24 have to have twenty-five (25) years to retire with the
25 State system. You have to have a minimum of fifteen (15)
26 years with Baldwin County to receive that benefit.

27 It came up and surprised the Commission just a
28 little bit when Cal Markert retired.

1 MR. RON CINK: Uh-huh. (Indicates
2 affirmatively.)

3 ATTORNEY DAVID CONNER: There had been a change
4 in the personnel policy that allowed for that to occur.
5 So you're entitled to keep or be paid for half of your
6 sick leave, not to exceed three hundred and twenty (320)
7 hours.

8 And so based on that, Ron is raising that issue to
9 make sure we're clear about that and you-all know about
10 that, and also to make sure that it doesn't surprise
11 anybody.

12 I thought maybe the thing to do would be put another
13 sentence in there that addressed vacation leave, which
14 they've always been paid for. And we don't have anybody
15 at this point in -- Well, we do have some that are
16 fifteen (15) years.

17 MR. RON CINK: Uh-huh. (Indicates
18 affirmatively.)

19 ATTORNEY DAVID CONNER: So that that's clear,
20 that y'all want them to continue to receive that same
21 benefit. The statute -- The -- the -- the contract says
22 in multiple places that when they go, they would receive
23 the same paid benefits as other employees. And those
24 paid benefits that the other employees receive are just
25 what I told you.

26 MR. RON CINK: But --

27 ATTORNEY DAVID CONNER: But I just wanted to
28 make sure that it was clear.

1 MR. RON CINK: But they're in the merit
2 handbook.

3 ATTORNEY DAVID CONNER: In the merit handbook.

4 MR. RON CINK: Okay.

5 ATTORNEY DAVID CONNER: I wanted to make sure
6 that was clear that -- that those are the two things --

7 MR. RON CINK: Uh-huh. (Indicates
8 affirmatively.)

9 ATTORNEY DAVID CONNER: -- that are out there.
10 And so I thought we might, in order for clarification,
11 say -- just add that into the contract, if you all are
12 okay with that.

13 COMMISSIONER JOE DAVIS III: And that's --

14 ATTORNEY DAVID CONNER: And that's --

15 COMMISSIONER JOE DAVIS III: If I could, that's
16 not policy. That's the interpretation of the Retirement
17 System's rules and our --

18 ATTORNEY DAVID CONNER: No. Actually, it's --
19 it's a policy that's been adopted by the Baldwin County
20 Commission.

21 COMMISSIONER JOE DAVIS III: Okay.

22 ATTORNEY DAVID CONNER: Because, for example,
23 what -- what -- Let's say you had some employees that had
24 twenty-five (25) years of service but they've only been
25 working for Baldwin County three (3) years, they worked
26 somewhere else, then the County Commission didn't want to
27 pay them half their sick leave that had been accrued.
28 You know, they -- You want to award longevity not only

1 with the State but with the County in particular.

2 And so the County Commission policy says if you've
3 got twenty-five (25) years when you retire and fifteen
4 (15) of those twenty-five (25) years have been with
5 Baldwin County, then you can receive up to half of your
6 accrued. So if you've accrued two hundred (200), you get
7 a hundred (100).

8 COMMISSIONER JOE DAVIS III: But that fifteen
9 (15) years was for the policy that the Commission
10 adopted?

11 ATTORNEY DAVID CONNER: Correct.

12 MR. RON CINK: It's in the handbook. Yes, sir.

13 ATTORNEY DAVID CONNER: Correct.

14 COMMISSIONER JOE DAVIS III: Okay.

15 ATTORNEY DAVID CONNER: Correct.

16 COMMISSIONER BILLIE JO UNDERWOOD: So that
17 means it had to be fifteen (15) years at the County --

18 ATTORNEY DAVID CONNER: At the County.

19 COMMISSIONER BILLIE JO UNDERWOOD: -- not
20 somewhere else. So --

21 ATTORNEY DAVID CONNER: That's right.

22 COMMISSIONER BILLIE JO UNDERWOOD: -- if I'm
23 looking at these positions, we only have two that have
24 been here more than fifteen (15) years.

25 ATTORNEY DAVID CONNER: And they would have to
26 retire with twenty-five (25).

27 COMMISSIONER BILLIE JO UNDERWOOD: Right.

28 ATTORNEY DAVID CONNER: If they leave us with

1 twenty (20), it might --

2 COMMISSIONER BILLIE JO UNDERWOOD: Well --

3 ATTORNEY DAVID CONNER: -- if they left. So I
4 didn't want that -- So that -- that came up with Cal
5 Markert, and he got paid. And so I wanted to make sure,
6 for clarity's sake, that y'all understand that that's how
7 it has worked.

8 If that's not how you want it to work, we need to
9 take that out. But -- but the contract says and it
10 always has said that the paid -- any -- they get paid the
11 same paid benefits --

12 COMMISSIONER JOE DAVIS III: Of other
13 employees.

14 ATTORNEY DAVID CONNER: -- that the other
15 employees get. And so that's out there, and that's
16 what's happened. They've gotten paid vacation when they
17 left, appointed's. And then if one left with twenty-five
18 (25) years of service and fifteen (15) with the County,
19 then they got paid their half sick leave up to that
20 three --

21 MS. KIM CREECH: It's -- it's based on you're
22 eligible for --

23 COMMISSIONER JAMES E. (JEB) BALL: I'm not
24 worried --

25 MS. KIM CREACH: -- retirement. It's not --

26 COMMISSIONER JOE DAVIS III: I'm not --

27 COMMISSIONER JAMES E. (JEB) BALL: -- about
28 that.

1 COMMISSIONER JOE DAVIS III: -- either.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 Right.

4 MS. KIM CREECH: But it's not necessarily
5 twenty-five (25) years. You've got to be eligible for --

6 ATTORNEY DAVID CONNER: Uh-huh. (Indicates
7 affirmatively.)

8 MS. KIM CREECH: -- retirement from RSA rules.
9 But --

10 ATTORNEY DAVID CONNER: That's fine. I just
11 didn't want y'all to be surprised by it when it comes up.
12 I wanted you to know.

13 MS. KIM CREECH: -- you've got to be vested in
14 Baldwin County --

15 COMMISSIONER JOE DAVIS III: Right.

16 MS. KIM CREECH: -- to get Baldwin County
17 benefits.

18 COMMISSIONER BILLIE JO UNDERWOOD: County
19 benefits.

20 MS. KIM CREECH: That's -- I mean, that's --
21 that's the ultimate, what was decided is to be vested.

22 COMMISSIONER JOE DAVIS III: Fifteen (15)
23 years.

24 ATTORNEY DAVID CONNER: So what I --

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 Yeah.

27 ATTORNEY DAVID CONNER: So what I suggest we
28 put in is that line where it says they'll be paid the

1 paid benefits for vacation and sick leave as other
2 employees receive. That way everybody is clear, and they
3 understand exactly what they're getting.

4 That's the way it's been interpreted. But I want to
5 make sure that we don't have any questions. Because it
6 surprised -- I think it surprised some of the Commission
7 when it came up last time.

8 COMMISSIONER JAMES E. (JEB) BALL: Well, is
9 this on one person? Was this just on --

10 ATTORNEY DAVID CONNER: It can be on any of
11 them. It depends on how long they --

12 COMMISSIONER JAMES E. (JEB) BALL: I know. But
13 the only time that this has ever happened was Cal?

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 No. This --

16 ATTORNEY DAVID CONNER: No. It happened twice.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 It's happened a couple of times.

19 COMMISSIONER BILLIE JO UNDERWOOD: So it's --
20 it's --

21 ATTORNEY DAVID CONNER: It's probably -- it's
22 probably been ten (10) or fifteen (15) or twenty (20) or
23 thirty (30) -- twenty (20) people or so that have done it
24 over time.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 Yeah.

27 COMMISSIONER JAMES E. (JEB) BALL: Okay.

28 ATTORNEY DAVID CONNER: But what we found out

1 was it was being administered differently, and they had
2 to clean all that up.

3 MR. RON CINK: Uh-huh. (Indicates
4 affirmatively.)

5 COMMISSIONER JAMES E. (JEB) BALL: Okay. I'm
6 good.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 We had to clean it up. Yeah.

9 COMMISSIONER BILLIE JO UNDERWOOD: Okay. I'm
10 all right with that.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 Okay.

13 COMMISSIONER JOE DAVIS III: Yeah. I am, too.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 Can we -- can we just add this to the handbook?

16 ATTORNEY DAVID CONNER: That's where it's at.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 Because that's -- it states in the handbook anyway, but
19 just include --

20 ATTORNEY DAVID CONNER: Yeah.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 In -- in the handbook, just say -- include this thing as
23 part of the --

24 COMMISSIONER JOE DAVIS III: Because it was put
25 in the --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 -- contract employees.

28 COMMISSIONER JOE DAVIS III: -- contract for

1 employees.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 And not just, you know --

4 MR. RON CINK: Correct.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

6 I mean, that way, it's -- it's there. And, you know, if
7 somebody needs something, we -- If there's ever a
8 question later on, it comes up, they can go to that
9 handbook --

10 ATTORNEY DAVID CONNER: I'll give you an
11 example.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

13 -- you know, instead of just going back to a contract.
14 Because contracts --

15 MR. RON CINK: Uh-huh. (Indicates
16 affirmatively.)

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

18 -- they change.

19 ATTORNEY DAVID CONNER: If you'll look on
20 Page 9, I'll give you an example of where we'll add --
21 where I suggest we add language. And there's a couple of
22 places where this same language --

23 MR. RON CINK: Uh-huh. (Indicates
24 affirmatively.)

25 ATTORNEY DAVID CONNER: -- appears. But at the
26 top of that, it's that first full paragraph on Page 9.
27 It says:

28 *The employment contract employee may cancel or*

1 *terminate his employment contract at any*
2 *time --*

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

4 By giving --

5 ATTORNEY DAVID CONNER: Back up. Go to Page 8.

6 I'm sorry.

7 MR. RON CINK: No. It's up there on Page 9

8 where it says --

9 COMMISSIONER BILLIE JO UNDERWOOD: It's at the
10 bottom of that paragraph.

11 ATTORNEY DAVID CONNER: You're right. You're
12 right. I'm sorry. Back on Page 9.

13 *Appointed contract employees can cancel or*
14 *terminate at any time giving two weeks notice.*
15 *Said appointed contract employees shall be*
16 *entitled to the paid benefits to which any*
17 *other salaried employee of Baldwin County*
18 *Commission would be entitled upon separation.*

19 And so that has been vacation, sick leave, and then
20 in addition, that they shall not be entitled to
21 severance. Severance only comes if we terminate without
22 cause. So the paid benefits --

23 COMMISSIONER BILLIE JO UNDERWOOD: Uh-huh.

24 (Indicates affirmatively.)

25 ATTORNEY DAVID CONNER: -- have always been
26 that. And since we cleared up longevity, I thought it
27 might be good to add those two in so it doesn't surprise
28 anybody in the future like it did the last time.

1 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

2 ATTORNEY DAVID CONNER: Okay.

3 COMMISSIONER BILLIE JO UNDERWOOD: You answered
4 my question.

5 MR. MIKE HOWELL: The last time I read what
6 you're talking about, there is a provision in there for
7 Tier I employees at Age 60 with twenty-five (25) years.

8 ATTORNEY DAVID CONNER: Of that policy?

9 MR. MIKE HOWELL: Uh-huh. (Indicates
10 affirmatively.)

11 ATTORNEY DAVID CONNER: Here's the policy,
12 benefits due at retirement, unpaid sick leave -- Because
13 y'all have split --

14 MR. RON CINK: Uh-huh. (Indicates
15 affirmatively.)

16 ATTORNEY DAVID CONNER: -- before and after
17 under the Retirement System of Alabama.

18 COMMISSIONER JOE DAVIS III: Uh-huh. (Indicates
19 affirmatively.)

20 ATTORNEY DAVID CONNER: It says:

21 *A full-time employee hired before January 1,*
22 *2013, and retiring pursuant to the requirements*
23 *of the Retirement Systems of Alabama within*
24 *twenty-five (25) years -- with twenty-five (25)*
25 *years of service or at least 60 years of age*
26 *with at least fifteen (15) years of said*
27 *service with the Baldwin County Commission.*

28 So both of those categories --

1 COMMISSIONER JOE DAVIS III: Uh-huh. (Indicates
2 affirmatively.)

3 ATTORNEY DAVID CONNER: -- have to have fifteen
4 (15) years of service.

5 MR. MIKE HOWELL: Correct.

6 ATTORNEY DAVID CONNER: But you can retire at
7 twenty-five (25) years under sixty (60) years of age --

8 COMMISSIONER JOE DAVIS III: Uh-huh. (Indicates
9 affirmatively.)

10 ATTORNEY DAVID CONNER: -- fifteen (15) years
11 and get the payment. If you don't have twenty-five (25)
12 years in the system, you've got to be at least sixty (60)
13 years of age. But both of them still have to have the
14 fifteen (15) years of service with Baldwin County.

15 COMMISSIONER JOE DAVIS III: And that was
16 triggered by the Drop Program and a number of things that
17 went on. I was retired for the first time at age
18 forty-six (46) --

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Yeah.

21 COMMISSIONER JOE DAVIS III: -- with
22 twenty-seven (27) years of service.

23 ATTORNEY DAVID CONNER: Yeah.

24 COMMISSIONER JOE DAVIS III: Yeah.

25 ATTORNEY DAVID CONNER: So that's how we --

26 COMMISSIONER JOE DAVIS III: That's -- that's
27 how it evolved over time.

28 ATTORNEY DAVID CONNER: Yeah.

1 MR. RON CINK: Uh-huh. (Indicates
2 affirmatively.)

3 ATTORNEY DAVID CONNER: *Full-time employees*
4 *hired after January 1, 2013, and retired*
5 *pursuant to the requirement of the system with*
6 *at least fifteen (15) years of said service*
7 *with the County shall be paid one half of his*
8 *or her accumulated sick leave, not to exceed*
9 *three hundred and sixty (360) hours.*

10 COMMISSIONER JOE DAVIS III: Three sixty (360).

11 ATTORNEY DAVID CONNER: So if you've got six
12 forty (640), you get three sixty (360). If you've two
13 hundred (200), you get one hundred (100). And then it
14 just talks about health coverage and -- but I think those
15 are -- those are the provisions that cover when sick
16 leave is paid for County employees.

17 MR. RON CINK: Uh-huh. (Indicates
18 affirmatively.)

19 ATTORNEY DAVID CONNER: And the way contract
20 reads is that they would receive that same. So I thought
21 we would clear that up so that that doesn't surprise
22 anybody in the future, if that's okay with you all.

23 COMMISSIONER JAMES E. (JEB) BALL: That's fine.

24 COMMISSIONER JOE DAVIS III: Okay.

25 COMMISSIONER JAMES E. (JEB) BALL: So you're
26 just going to add in the words "vacation time" and "sick
27 leave"?

28 ATTORNEY DAVID CONNER: Uh-huh. (Indicates

1 affirmatively.)

2 COMMISSIONER JAMES E. (JEB) BALL: Okay. I'm
3 good with that.

4 ATTORNEY DAVID CONNER: In accordance with
5 Commission policy.

6 COMMISSIONER JOE DAVIS III: Right. Sure.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 Yeah. Okay. Anything else, Ron?

9 MR. RON CINK: No, sir. That was all I saw in
10 there. And that just left a weakness for the Commission
11 they didn't need to have.

12 ATTORNEY DAVID CONNER: Okay.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 Anything else on that, on the contract?

15 (No response.)

16 COMMISSIONER JOE DAVIS III: All right. There
17 was some discussion -- or at least --

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Yes, sir.

20 COMMISSIONER JOE DAVIS III: -- a topic about
21 these grades and stuff. Those are just merely
22 suggestions and guidelines. And is that what I'm hearing
23 or understanding --

24 COMMISSIONER BILLIE JO UNDERWOOD: Uh-huh.
25 (Indicates affirmatively.)

26 COMMISSIONER JOE DAVIS III: -- that sheet we
27 got that said if you're a 9, here's the midpoint?

28 COMMISSIONER BILLIE JO UNDERWOOD: Yes.

1 COMMISSIONER JOE DAVIS III: Max if you're a 10
2 or 11 or whatever. But those are guides and not
3 necessarily something that we're bound to?

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 We're not bound. The contract is binding. The
6 only thing -- the only thing binding is the contract.

7 COMMISSIONER JOE DAVIS III: Okay.

8 ATTORNEY DAVID CONNER: My -- my -- my -- my
9 understanding about how those grades came, just so we can
10 make sure, from the conversations I've had with Ron and
11 others, is that initially they may have arisen because
12 Personnel needed a code or a grade to put in when they
13 set up the computer system.

14 And so this range that was established and created
15 was part of the reason for that. But I'm not sure that
16 the Commission ever officially adopted that range.

17 MR. RON CINK: I couldn't find anything.

18 ATTORNEY DAVID CONNER: You couldn't find
19 anything? Well, that's --

20 MR. RON CINK: And -- and I'm going to dig
21 deeper.

22 ATTORNEY DAVID CONNER: Okay.

23 MR. RON CINK: But I couldn't find anything at
24 all.

25 ATTORNEY DAVID CONNER: I think it was a --

26 COMMISSIONER BILLIE JO UNDERWOOD: I think it
27 needs to be removed off of the website. As far as the
28 grade is fine for the merit people that fall under it.

1 But for the appointed people that are in those AE grades,
2 I think that needs to be removed from that page, because
3 I think it has caused a lot of confusion for me.

4 COMMISSIONER JOE DAVIS III: Uh-huh.

5 (Indicates affirmatively.)

6 COMMISSIONER BILLIE JO UNDERWOOD: And I think
7 it's caused a lot of confusion for even the employees
8 that are contract, because it has given a sense of
9 that's -- that's where our pay is supposed to fall.

10 And if that were the case, then that means you can't
11 be more than that. So that would be where the detriment
12 would be. And so I think it just needs to be removed for
13 clarification.

14 And I also want to put out there that there was
15 an -- I was not there. I've not read the minutes. But
16 somewhere there was, I feel, an arbitrary amount of
17 ninety thousand dollars (\$90,000) that was -- I'm going
18 to go as far as to say pulled out of some -- of the air
19 without any particular basis. And there -- And that is
20 also not a -- a minimum. Because that was what I was
21 told.

22 And I don't know if -- if that's what is the
23 consensus among all the contract people, but that if you
24 didn't make at least ninety thousand (\$90,000), you would
25 need to be bumped to a minimum of ninety (\$90,000) and
26 then we would go from there.

27 So there was two things that were out there. There
28 were these pay grades, and then there was these minimums

1 of ninety thousand (\$90,000).

2 And I wanted to be clear that when I stated that in
3 the e-mail, that I think that's just arbitrary on the
4 ninety thousand (\$90,000). And the pay grade was
5 something that may have been used for a computer program.

6 ATTORNEY DAVID CONNER: Okay. The -- the --
7 the salary for the appointed contract employees is what
8 is approved --

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 What's in his contract.

11 ATTORNEY DAVID CONNER: -- and signed off in
12 the contract.

13 COMMISSIONER BILLIE JO UNDERWOOD: Right.

14 ATTORNEY DAVID CONNER: And I -- and I do think
15 that the -- the existence of that pay scale could
16 clearly -- could easily create confusion. I agree that
17 it needs to be taken off the website.

18 And because -- because there is no pay graded step.
19 It's all based on how y'all review it each time. And so
20 maybe -- maybe Brian or whoever can help come up with a
21 different way of creating a code to fill that gap.

22 MR. RON CINK: It's just -- it -- it's a code
23 for the --

24 ATTORNEY DAVID CONNER: Yeah.

25 MR. RON CINK: -- system. It's just AE.

26 ATTORNEY DAVID CONNER: Yeah.

27 MR. RON CINK: It's AE.

28 ATTORNEY DAVID CONNER: And so I -- I think you

1 could -- I think you could make -- Like let's -- let's
2 say the code is X. On our little chart we could have X,
3 appointed contract employee, comma, salary set by
4 Commission, and accomplish the same thing.

5 MR. RON CINK: Uh-huh. (Indicates
6 affirmatively.)

7 ATTORNEY DAVID CONNER: So I -- I -- I do think
8 that needs to be cleared up so that there's no
9 misunderstanding on the part of the employees that, hey,
10 I've got this range, and I've got this step and also on
11 the part of anybody applying for a job as to what that
12 might be, and the -- and the public in general. I agree
13 with that.

14 COMMISSIONER JOE DAVIS III: All right. With
15 that being said, the two interims that are not in the
16 room anymore because we're going to be advertising that
17 slot, what pay raise -- what pay range are we're going to
18 put for them, and what do we base it on?

19 ATTORNEY DAVID CONNER: The pay -- the pay that
20 you-all would set is based on what y'all think the job
21 requires.

22 COMMISSIONER BILLIE JO UNDERWOOD: I don't
23 think you post a pay range.

24 ATTORNEY DAVID CONNER: You don't. Yeah.
25 You --

26 COMMISSIONER BILLIE JO UNDERWOOD: I've been
27 searching all over these United States. Some places
28 don't put a pay range, you know, for certain positions.

1 COMMISSIONER JOE DAVIS III: Right.

2 COMMISSIONER BILLIE JO UNDERWOOD: And so since
3 there's -- we don't have any current salary surveys and,
4 you know, or anything, so I don't think that it's
5 necessary that we put a -- an amount out there.

6 I think the feedback that I've been hearing is,
7 well, the previous person made this, so this is what I
8 think it should be. So that's not a basis, in my
9 opinion.

10 COMMISSIONER JOE DAVIS III: I agree.

11 COMMISSIONER BILLIE JO UNDERWOOD: Because
12 everybody is different. No one has the same experience.
13 Well, it's possible. But, you know, rarely is everything
14 the same as it was. So just because someone exited at
15 this amount --

16 COMMISSIONER JOE DAVIS III: It's not the same.

17 COMMISSIONER BILLIE JO UNDERWOOD: -- doesn't
18 mean the person following in comes in at that particular
19 amount.

20 COMMISSIONER JOE DAVIS III: Everybody that
21 applies for either of those positions, either they will
22 ask or they -- and anybody we would want to interview --

23 COMMISSIONER BILLIE JO UNDERWOOD: We could
24 offer.

25 COMMISSIONER JOE DAVIS III: -- what -- what's
26 the pay scale? Because that's the way in government.
27 People think in terms of a grid. And if I've got a BS
28 degree with ten years experience, if we state

1 requirements, then if I've got an -- if I've got a
2 master's degree, that sort of -- I'm not trying to make
3 it complicated.

4 COMMISSIONER BILLIE JO UNDERWOOD: But we're
5 not merit. We're -- And that's the thing about the
6 contracts that I have concluded. I'm not saying I'm
7 correct. But some people were given chucks to just sign
8 them because it was like I'm not protected anymore.

9 And I -- and I -- that's why I got a big extra chunk
10 added to it in the past where it's I got like ten
11 thousand dollars (\$10,000) just so I would sign it
12 because I'm no longer in this grid.

13 COMMISSIONER JOE DAVIS III: I understand.
14 But, here again, when we're trying to attract people that
15 are qualified for those two positions or any position,
16 are we're going to put or give an amount to suggest that
17 that's the --

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Starting point.

20 COMMISSIONER JOE DAVIS III: -- minimum and
21 then they'll be paid based on -- Because they're going to
22 ask that question.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 You know --

25 COMMISSIONER JOE DAVIS III: I think --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 You know, when you're advertising --

28 COMMISSIONER JOE DAVIS III: And then what do

1 we say when they ask the question? I saw where you're
2 advertising for a Budget Director. I've got X, Y, Z
3 experience.

4 But what they're going to look and see is where do I
5 stand now with my current employer, and what's the
6 possibilities of being compensated more? They're not
7 doing it just to get the job. They're doing it based on
8 the financial improvement it'll have.

9 COMMISSIONER BILLIE JO UNDERWOOD: I agree.

10 ATTORNEY DAVID CONNER: I think -- I think
11 you -- I think you-all are going to have to sit in a --
12 in a work session and figure out what you think that
13 salary range would be.

14 COMMISSIONER JOE DAVIS III: Yeah.

15 ATTORNEY DAVID CONNER: Y'all are -- y'all are
16 going to have to establish that. And then how y'all
17 publish that to the -- to the -- to the -- to the job
18 market, I mean, it -- it could be -- it could be set any
19 number of ways. It could be set depending on experience,
20 service in the field --

21 COMMISSIONER JOE DAVIS III: It would be --

22 ATTORNEY DAVID CONNER: -- the starting salary
23 could be such but may be enhanced based on this. That's
24 kind of a marketing discussing, how we're going to
25 attract --

26 COMMISSIONER JOE DAVIS III: Uh-huh. (Indicates
27 affirmatively.)

28 ATTORNEY DAVID CONNER: -- people. But what

1 I -- what -- but what I think you should stay away
2 from -- And you can do it -- but -- but how -- how y'all
3 have treated contract employees, I think you should stay
4 away from trying to create some scale --

5 COMMISSIONER JOE DAVIS III: Okay.

6 ATTORNEY DAVID CONNER: -- like that. For your
7 initial hire, you're going to have to -- you're going to
8 have to have a range of starting salaries that y'all are
9 going to have to agree upon.

10 COMMISSIONER JOE DAVIS III: What's the
11 Personnel Department going to say when they're asked with
12 a --

13 ATTORNEY DAVID CONNER: Exactly. You-all are
14 going to have to --

15 COMMISSIONER JOE DAVIS III: We need to have a
16 number.

17 ATTORNEY DAVID CONNER: Yeah.

18 COMMISSIONER JOE DAVIS III: And it may be a --

19 ATTORNEY DAVID CONNER: Yeah.

20 COMMISSIONER JOE DAVIS III: -- minimum number
21 that'll -- I don't mean the existing numbers.

22 ATTORNEY DAVID CONNER: Yes, sir.

23 COMMISSIONER BILLIE JO UNDERWOOD: I
24 understand.

25 ATTORNEY DAVID CONNER: But --

26 COMMISSIONER JOE DAVIS III: And they're going
27 to ask that question.

28 COMMISSIONER BILLIE JO UNDERWOOD: Well, I

1 believe we need --

2 ATTORNEY DAVID CONNER: And that's not a pay
3 rated scale that you're talking about.

4 COMMISSIONER JOE DAVIS III: No.

5 ATTORNEY DAVID CONNER: You're just talking
6 about what are we going to tell these people the range.

7 COMMISSIONER JOE DAVIS III: Okay.

8 COMMISSIONER BILLIE JO UNDERWOOD: We have some
9 historical information from -- I -- since we've mentioned
10 the EMA Director, since it's a position we're going to be
11 advertising, Kim provided some historical information
12 about all the way back to a certain date on like where
13 the salaries have -- have went up and down. So I think
14 it's something that we could use some of that information
15 to at least start with. But --

16 COMMISSIONER JOE DAVIS III: Yeah.

17 COMMISSIONER BILLIE JO UNDERWOOD: Okay. Okay.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Okay. Okay. Anything else on that?

20 (No response.)

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 Where do y'all want to go next? I know you have to
23 leave; right?

24 COMMISSIONER BILLIE JO UNDERWOOD: Oh, no.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 No? You don't have to go?

27 COMMISSIONER BILLIE JO UNDERWOOD: Oh, I have
28 to leave at 11:40.

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

2 Oh, okay.

3 COMMISSIONER BILLIE JO UNDERWOOD: I have
4 twenty -- well, let's see -- twenty-three minutes.

5 COMMISSIONER JOE DAVIS III: Allow travel time,
6 maybe.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

8 Okay. Is there any more on the contracts then?

9 (No response.)

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

11 So this will basically be then we can go ahead and get
12 this contract established.

13 ATTORNEY DAVID CONNER: All right.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

15 And this will be our adopted contract?

16 COMMISSIONER JOE DAVIS III: (Indicates
17 affirmatively.)

18 ATTORNEY DAVID CONNER: Yes, sir.

19 Mr. Chairman, the way this would work is that this is the
20 form of the contract.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

22 Uh-huh. (Indicates affirmatively.)

23 ATTORNEY DAVID CONNER: As we mentioned
24 earlier, you would fill in the name of the employee and
25 their position. I -- The one blank that I have that I
26 didn't have some discussion on is when would you want
27 these contracts to become effective.

28 For example, if you make them effective now, their

1 pay -- pay grade would change now and go forward. If you
2 make them effective going back to the beginning of the
3 term, then you have to pay back salary to catch them up
4 over that period of time. So --

5 MR. RON CINK: I don't think you can do that.

6 ATTORNEY DAVID CONNER: What?

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

8 I don't think you can pay back --

9 MR. RON CINK: I don't think you can do that.

10 ATTORNEY DAVID CONNER: I -- I'm -- I'm
11 thinking -- I'm thinking it should be from this point
12 forward.

13 MR. RON CINK: Right. Well, I don't think you
14 can go retro --

15 ATTORNEY DAVID CONNER: Right.

16 MR. RON CINK: -- because --

17 ATTORNEY DAVID CONNER: You shouldn't.

18 MR. RON CINK: Right.

19 ATTORNEY DAVID CONNER: You shouldn't.

20 MR. RON CINK: Right.

21 ATTORNEY DAVID CONNER: But I -- but I didn't
22 want to be presumptuous and put a date in there. I just
23 wanted to let the Commission know I think it ought to be
24 from this point forward.

25 And then -- and then as you do your annuals, you --
26 you -- you'll know when they're coming up, and you can
27 schedule those.

28 So it -- Whatever day y'all decide to approve them,

1 that's the day it'll be that we'll put in the contract,
2 whichever Commission meeting it comes up for approval.
3 Does that make sense?

4 COMMISSIONER JAMES E. (JEB) BALL: (Indicates
5 affirmatively.)

6 COMMISSIONER JOE DAVIS III: (Indicates
7 affirmatively.)

8 ATTORNEY DAVID CONNER: I -- And the reason I
9 bring that up is I don't want any department heads
10 being -- thinking that they're going to get back to the
11 beginning of the term.

12 COMMISSIONER JOE DAVIS III: Right.

13 ATTORNEY DAVID CONNER: It's from the -- it's
14 from the time it's signed going forward.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 And that'll be the date that it's signed, whatever day
17 that they sign.

18 ATTORNEY DAVID CONNER: That's the date that
19 y'all -- you guys approve it at a --

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 Approve it.

22 ATTORNEY DAVID CONNER: -- at a -- at a regular
23 meeting.

24 COMMISSIONER JOE DAVIS III: Well --

25 ATTORNEY DAVID CONNER: And then the only
26 other --

27 COMMISSIONER JOE DAVIS III: -- when it's
28 signed by both parties, I mean, we may approve it in a

1 meeting. Hopefully, the -- the employee will be able
2 to --

3 ATTORNEY DAVID CONNER: Yeah.

4 COMMISSIONER JOE DAVIS III: -- sign it.

5 ATTORNEY DAVID CONNER: Yeah. Yeah. But
6 the -- but the date that will go on here as to when it
7 starts, it'll be the day of the meeting. Now, if -- if
8 somebody doesn't sign it, then it never becomes
9 effective.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 It never becomes effective.

12 ATTORNEY DAVID CONNER: And so -- And the only
13 other thing that would be different in a couple of the
14 contracts, for example, I think I've mentioned to you,
15 Kim's contract and Terri's contract would have some
16 additional paragraphs.

17 Kim is also -- Kim is also designated as a License
18 Inspector under certain revenue statues for collection
19 and enforcement purposes. And Terri is designated as the
20 County Solid Waste Officer under certain statutes.

21 And so we put a provision in each one of theirs.
22 But everybody else's, unless I'm mistaken, would be the
23 same in its general form.

24 COMMISSIONER BILLIE JO UNDERWOOD: We're just
25 putting --

26 ATTORNEY DAVID CONNER: So what's left --

27 COMMISSIONER BILLIE JO UNDERWOOD: You're just
28 putting in a name and an amount then --

1 ATTORNEY DAVID CONNER: What's left is y'all
2 have to --

3 COMMISSIONER BILLIE JO UNDERWOOD: -- besides
4 those two?

5 ATTORNEY DAVID CONNER: -- y'all have got to
6 decide on the amounts for each person.

7 COMMISSIONER BILLIE JO UNDERWOOD: How does
8 that work in work session? Do you actually decide on an
9 amount in the work session and then you --

10 ATTORNEY DAVID CONNER: We would get -- we --
11 What -- what we do is we get consensus about it --

12 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
13 Consensus.

14 ATTORNEY DAVID CONNER: -- in listening about
15 where you-all feel comfortable.

16 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

17 ATTORNEY DAVID CONNER: Nothing is official
18 until it's voted on at the -- at the regular meeting. So
19 for -- for -- And you can't -- and y'all can't discuss --
20 as you know, you can't discuss these things outside. So
21 an open meeting is your opportunity to decide what you
22 want to do. So this is a work session discussion --

23 COMMISSIONER BILLIE JO UNDERWOOD: Well, before
24 we --

25 ATTORNEY DAVID CONNER: -- or -- or if you want
26 to reconvene another time, it's up to y'all.

27 COMMISSIONER BILLIE JO UNDERWOOD: If I might
28 bring up through all this -- And I -- I want you guys to

1 know, first of all, thank you for everything you do for
2 Baldwin County. This has been probably one of the most
3 difficult things I've had to do, other than run for
4 office, in the last few years.

5 So, that being said, I have concluded that we are --
6 not only are we geographically different than anywhere
7 else in the county [sic], we are -- our organizational
8 structure is unlike any in the state. I'm sorry. I
9 think I said county earlier.

10 COMMISSIONER JOE DAVIS III: Yeah.

11 COMMISSIONER BILLIE JO UNDERWOOD: Our
12 organizational structure is beyond my comprehension at
13 this point in time compared to any other organization.

14 And I believe you did say that. I had to find out
15 for myself. And I only think that's fair to me, because
16 I hadn't been here to find that out for myself.

17 There is no other county in the State of Alabama and
18 even in the Florida Panhandle that has ten appointed
19 employees that answer directly to the County
20 Commissioners.

21 I think that makes it very, very hard, because I
22 think it makes those positions very political. And I
23 feel that it's unfair to the County Commission to have
24 me, as a Commissioner -- I won't speak for everyone
25 else -- that we are bound by that word "shall." And the
26 Revenue Commissioner and the Probate Judge and the
27 Sheriff are not bound that word "shall." They get the
28 word "may."

1 And so I also researched that with Steve McMillan.
2 I talked to him. And he was unaware, is what he told me.
3 Because I presented facts to him. He said he was unaware
4 that no other county had this many appointed people. And
5 I'm not sure if it was ever presented to him in that way
6 or not.

7 And I wasn't trying to skew my thing towards that I
8 wanted more merits. It was just that this is a very hard
9 thing for us to do because of not having data to go by.

10 And so, yes, I appreciate all of you for sending me
11 data. A lot of that data is data that really can't be
12 compared, because there's Personnel Boards in the State
13 of Alabama.

14 I'll be honest with you. Shelby County sent this to
15 me. And this is what they -- their organizational
16 structure is nothing like ours. They have a County
17 Manager, and they have all this stuff underneath their
18 organizational chart.

19 So I want to pursue getting the -- to the point
20 where that we would have the word "may" rather than
21 "shall."

22 And in the future, if some of these positions are
23 deemed to be not be appointed, they would become a merit
24 position. And, therefore, I think I've -- I think I've
25 conveyed my -- my concerns to you --

26 COMMISSIONER JOE DAVIS III: Yeah.

27 COMMISSIONER BILLIE JO UNDERWOOD: -- about if
28 any of these ten position -- Now, I may be the only one

1 that thinks this way. The rest of you may not. And,
2 therefore, none of this would ever happen. We would stay
3 the way we are.

4 But if there was a change desired to where we would
5 have an option, it wouldn't do away with the ten
6 positions. It would just give us an option of whether we
7 wanted those to be appointed or not appointed.

8 And the -- Steve McMillan said that he didn't see
9 where that would be a big issue. If we just wanted to
10 change one word, it could be done within a short period
11 of time, per se, when we talk about the government,
12 within the next six months to a year.

13 COMMISSIONER JOE DAVIS III: Yeah.

14 COMMISSIONER BILLIE JO UNDERWOOD: But that was
15 something that is a local legislative act. But if we're
16 not in agreement with it, there's no need in even
17 pursuing it and no need for me to even be having a
18 thought process.

19 I'm not trying to take powers away from the County
20 Commission. I'm -- I'm trying to think about how is this
21 beneficial? There's certain positions that I don't see
22 where they should be directly underneath our at-will
23 power.

24 But that's how I feel about it. If anybody else
25 want to elaborate or if you want to just not say
26 anything, then I don't know how to proceed if I don't
27 elaborate on my comments.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 Well, I'll -- I'll -- I'll put my two cents in it. Some
2 of this stuff, these were not -- when I first came on, we
3 did not have that. We only had six or seven. Later on
4 it was added. The IT Director, the --

5 COMMISSIONER BILLIE JO UNDERWOOD: Personnel
6 and Budget.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 And -- and Budget. And there was one -- there was three
9 of them that were added on.

10 MR. MIKE HOWELL: Planning and Zoning for a
11 while, Mr. Chairman.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Now, see, Planning and Zoning has got that -- that --

14 COMMISSIONER BILLIE JO UNDERWOOD: That had
15 that "may" in it.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 -- "may" -- "may" in it.

18 COMMISSIONER BILLIE JO UNDERWOOD: But, see,
19 that's not even in the current --

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 And for that thing, it's got the "may."

22 MR. MIKE HOWELL: Uh-huh. (Indicates
23 affirmatively.)

24 COMMISSIONER BILLIE JO UNDERWOOD: That was
25 all --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 It -- it was --

28 COMMISSIONER BILLIE JO UNDERWOOD: This was

1 changed in 2010, the one that he's referring to.

2 COMMISSIONER JOE DAVIS III: Uh-huh. (Indicates
3 affirmatively.)

4 COMMISSIONER BILLIE JO UNDERWOOD: That was the
5 update.

6 MS. KIM CREECH: In 2011, the -- the act
7 changed in 2011 to the --

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 Yeah.

10 MS. KIM CREECH: -- IT and Budget Director --

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 Budget, yeah.

13 MS. KIM CREECH: -- as --

14 MR. RON CINK: Appointed.

15 MS. KIM CREECH: -- added --

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 As appointed.

18 MS. KIM CREECH: -- to the law.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Yeah. And --

21 MR. RON CINK: And the Planning and Zoning
22 Director language was taken out of that one.

23 COMMISSIONER BILLIE JO UNDERWOOD: It was taken
24 out.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 Yeah.

27 MR. RON CINK: The statute.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 Yeah.

2 MR. RON CINK: Uh-huh. (Indicates
3 affirmatively.)

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 So, I mean, it's -- it's not that it can't be done. It's
6 been done before.

7 COMMISSIONER JOE DAVIS III: Yeah.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 And, you know --

10 COMMISSIONER BILLIE JO UNDERWOOD: And even
11 that many was -- is more than anything I have discovered.
12 And I need -- I -- I just would like some help from you
13 guys, if you've not already been down this path.

14 And due to this open meetings restraint, it's hard
15 for me to -- I have no idea what Joe Davis is thinking.
16 I have no idea what -- on these kinds of things, you
17 know. And so go around the table and say the same thing.

18 But until we're in a position like this, what is
19 the -- what has been the reasoning and the -- why do we
20 have ten and why does -- And then there are counties that
21 don't have Personnel Boards and County Managers that do
22 have appointed. I believe Etowah County has four.

23 But, I mean, it would -- it would just, I think,
24 help those awkward times. And also it's been put to me
25 that, okay, you have somebody in an appointed position.
26 You have four people you have to please.

27 And sometimes I think that jeopardizes people's way
28 of behaving, because they may treat me one way, treat you

1 one way, you one way, and you one way. And we've got it.
2 We don't ever know where we are.

3 And so there's -- With that being said, I'm okay to
4 have this contract. But if there would be a change in
5 the future, would there need to be any type of a verbiage
6 put in there for that -- or not?

7 ATTORNEY DAVID CONNER: If -- if -- if you all
8 decide that y'all are going to want to pursue a change to
9 the statute that would make -- that would add the word
10 "may" or to delete some of these names --

11 COMMISSIONER JOE DAVIS III: Ten.

12 ATTORNEY DAVID CONNER: -- from that list, then
13 I would encourage us to put a provision in the contract
14 that would read along these lines.

15 Because what you want to avoid is you want to avoid
16 the severance pay, if you're really not going to let the
17 person go. So I think the provision needs to say
18 something like in the event that the County Commission,
19 pursuant to state law, elects to change this position
20 from an appointed contract to a merit system and the
21 employee is transferred to the merit system on the same
22 salary, basically, that they wouldn't be entitled to a
23 severance package, because they're not leaving. They're
24 just going from appointed contracts to merits.

25 So I'd put a -- a little section in to clear that
26 up. Because these are four-year contracts. And if y'all
27 decide to -- to -- to make -- to do away with one of the
28 appointed's, use, quote, may, and you want to transfer

1 that person to a merit system, then you -- you have this
2 confusion about the severance, whether or not they're
3 entitled to the month's pay.

4 COMMISSIONER BILLIE JO UNDERWOOD: But I guess
5 I would need a --

6 ATTORNEY DAVID CONNER: So if y'all are
7 inclined to make that change, you might put a provision
8 in --

9 COMMISSIONER BILLIE JO UNDERWOOD: -- a
10 consensus, if anyone else wants to pursue that. And, if
11 not, then there's no need in discussing it.

12 ATTORNEY DAVID CONNER: Yeah. If y'all -- if
13 y'all aren't in favor of making those changes, then
14 there's nothing to change in the contract. But if you
15 want to leave that option open, then I would say we need
16 to add a little provision to address that.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 Well, I --

19 COMMISSIONER JOE DAVIS III: I don't
20 understand.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 I'd like to see it happen, you know. And -- and I -- and
23 I go back and I'll -- I'll tell you, some of this stuff,
24 when it was done, it was done for pure political. It was
25 pure politically motivated to do it.

26 And I was against it, because I don't believe, you
27 know, that -- you know, I don't -- I just don't believe
28 in that.

1 But it was pure, pure political when it was done
2 that way. It was to have control over people. You had
3 some folks that just wanted to --

4 COMMISSIONER BILLIE JO UNDERWOOD: Well, you
5 don't lose --

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 -- have that micromanagement thing. And that's wrong in
8 government. I'm sorry. But that's -- that's the reason
9 it got there.

10 And -- and, you know -- you know, you take like the
11 Budget Director, not only does he have to deal with us as
12 a -- as a body, but he's got other elected officials that
13 he has to deal with constantly.

14 He's got the Probate Judge. You've got the Sheriff.
15 You've got the Revenue Commissioner, you know. I mean,
16 there's -- there's other folks out there, the Coroner.
17 They have to work with them. But, yet, they can't say
18 really anything, you know, that -- because he's our
19 employee. I mean, you know --

20 COMMISSIONER JOE DAVIS III: That's --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 But, yeah. I mean, he's -- he's -- he's -- that -- that
23 Budget Director has to talk to those people, too. And
24 really, you know, it's -- you know, it's -- it -- it
25 makes it -- it makes it -- it makes it tough for some of
26 these positions to do that, you know. You know, and I
27 just, you know --

28 COMMISSIONER BILLIE JO UNDERWOOD: I think that

1 it was politically motivated. And if there is a concern
2 of losing control, then we need to understand what that
3 control is and isn't, other than just what it appears.

4 How much -- how really important is it that that
5 many people -- Because they would be underneath another
6 appointed. Like, for example, if your position became a
7 merit position, you would have to be put underneath
8 probably Administrator, I would think; okay? And if --
9 if -- if your position became a merit, you would have to
10 go under somebody. I don't know.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 Well --

13 COMMISSIONER BILLIE JO UNDERWOOD: I'm trying
14 to look at organizational charts.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Yeah.

17 COMMISSIONER BILLIE JO UNDERWOOD: So it's not
18 like that this person can just do whatever they want.
19 They're still an employee. And then this -- the
20 Administrator would be responsible for that. Is that how
21 it works?

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Yeah.

24 MR. RON CINK: Can I -- can I interject one
25 other issue, though, associated with that?

26 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

27 MR. RON CINK: Because of the way the merit
28 system is set up, you guys cannot direct them; okay? So

1 you have to have some --

2 ATTORNEY DAVID CONNER: Cannot direct merit
3 system employees.

4 MR. RON CINK: Correct. You can't direct merit
5 system folks. So you have to have some mechanism to be
6 able to direct them. And that's why your appointed's
7 are -- are there, to direct the merit system folks
8 from -- from your direction. So you have to have some
9 somewhere. Now, in the case of counties that exceed
10 three hundred (300,000) --

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 Three thousand (3,000) -

13 MR. RON CINK: -- four hundred thousand
14 (400,000) --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Three hundred thousand (300,000, yeah.

17 MR. RON CINK: -- there's a Personnel Board.
18 And the -- the Commission --

19 COMMISSIONER BILLIE JO UNDERWOOD: Don't touch
20 anything.

21 MR. RON CINK: The elected officials don't
22 touch anything.

23 COMMISSIONER BILLIE JO UNDERWOOD: Yeah. Yeah.
24 We're -- we're not there.

25 MR. RON CINK: Right.

26 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

27 MR. RON CINK: Right.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 We ain't far, though.

2 MR. RON CINK: Right. But you -- but you have
3 to have some mechanism to be able to direct the merit
4 employees. And that's -- that's through the appointed's.

5 COMMISSIONER BILLIE JO UNDERWOOD: Through the
6 appointed's. Right.

7 MR. RON CINK: That's through the appointed's.

8 COMMISSIONER JOE DAVIS III: Well, but, here
9 again, no one of us has any authority. The group of
10 us --

11 ATTORNEY DAVID CONNER: Correct.

12 COMMISSIONER JOE DAVIS III: -- has the
13 authority.

14 COMMISSIONER BILLIE JO UNDERWOOD: Right.

15 COMMISSIONER JOE DAVIS III: And --

16 COMMISSIONER BILLIE JO UNDERWOOD: It takes the
17 three to --

18 COMMISSIONER JOE DAVIS III: -- for us to move
19 forward. The people sitting around this room are more
20 interested in salaries and when they go into effect. And
21 my point is this: I want us to have a plan to separate
22 our Administrator and our Budget Director that we agree
23 on so we can then address these other department heads
24 with their compensation.

25 This is not about personalities. I mean, I've been
26 in discussions and conversations where we give a current
27 dual person a raise and then have him move back into the
28 Budget Director's slot and we open up a pursuit of a --

1 an Administrator. I'm not saying that's the only way to
2 do it.

3 There is too much going on, as good as Ron is, and
4 too much that will be going on in the future that we
5 don't have two people in those two slots.

6 While it was convenient and appropriate and well
7 handled to put the two hats on, to make it a permanent
8 arrangement, to me, was not fair to him. And, more
9 importantly, it wasn't fair to our citizens getting
10 things done.

11 So I'm about having a plan to separate those two
12 jobs and then address compensation of the people around
13 the room here. And that's -- that's where I stand.

14 COMMISSIONER BILLIE JO UNDERWOOD: It's -- Is
15 there any desire to take care of some of these contracts,
16 or do they all have to be taken care of at -- at one
17 time?

18 COMMISSIONER JAMES E. (JEB) BALL: They don't
19 have to be taken care of at one time, no.

20 COMMISSIONER BILLIE JO UNDERWOOD: Because
21 there's some that I -- I don't -- didn't have really an
22 issue from beginning, but -- other than maybe just
23 negotiating the actual dollar amount. But --

24 COMMISSIONER JOE DAVIS III: Well, the reason
25 I'm holding strong on my not voting on any of those, I
26 think it's absolutely imperative that we address -- And I
27 may be the only one wanting this -- that we address the
28 separation of those two jobs.

1 COMMISSIONER JAMES E. (JEB) BALL: No.

2 COMMISSIONER JOE DAVIS III: No disrespect to
3 Mr. Cink. But going forward, we need skill sets that you
4 mentioned, Mr. Chairman, other entities that he has to
5 deal with as Budget Director.

6 When he's spending time doing those things, are
7 there things, as the Administrator, that is having to
8 fall by the wayside or be pushed back? He doesn't let
9 things fall through the crack. I'm going to give him
10 credit for that.

11 MR. RON CINK: Thank you. I --

12 COMMISSIONER JOE DAVIS III: But -- but --

13 MR. RON CINK: I keep my fingers crossed.

14 COMMISSIONER JOE DAVIS III: But, I mean, you
15 work at it. And that's what we all have to do. But we
16 are too big and going to get so much bigger.

17 And our citizens expect so much from us as an
18 organization, that we need to separate those two, work
19 out whatever.

20 And I'm not saying send him packing. But I think
21 putting him in the Budget Director slot and giving him
22 compensation and acting as the interim until we can go
23 through the similar process of pursuing a director.
24 That's just one of four.

25 COMMISSIONER JAMES E. (JEB) BALL: Well, that's
26 two of four. I -- I concur with Joe on that. And, I
27 mean, I think it can be easily done --

28 COMMISSIONER JOE DAVIS III: I do, too.

1 COMMISSIONER JAMES E. (JEB) BALL: -- you know.
2 And once we -- once we get that, then we can start
3 throwing numbers out. If -- if I'm not mistaken, these
4 contracts now, Mr. Chairman, they're contracts that --
5 that we hand them, contract employees, right, with a --

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 Yeah.

8 COMMISSIONER JAMES E. (JEB) BALL: -- with a
9 number? I mean, so if we -- if we did this, we would put
10 a dollar amount in there, hand this to the contract
11 employee, and see what they say. Yea or nay; right?

12 ATTORNEY DAVID CONNER: Yes.

13 COMMISSIONER BILLIE JO UNDERWOOD: Okay. So
14 are you saying that --

15 ATTORNEY DAVID CONNER: After -- after your
16 discussion.

17 COMMISSIONER BILLIE JO UNDERWOOD: -- all of
18 these, we're not -- we're not interested in doing for
19 anybody else right now?

20 COMMISSIONER JAMES E. (JEB) BALL: Reiterating
21 what Joe said, we -- we --

22 COMMISSIONER BILLIE JO UNDERWOOD: He -- You
23 don't want to -- you don't want to negotiate any contract
24 until that is settled?

25 COMMISSIONER JOE DAVIS III: Not settled as to
26 who it is, but -- but that we have a plan to address the
27 fact that we've got a person wearing two hats that --

28 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

1 COMMISSIONER JOE DAVIS III: -- I think we --
2 No.

3 COMMISSIONER BILLIE JO UNDERWOOD: No. I'll
4 just give you an example. Okay. Like -- So, for
5 example, we've got the Building Inspector and Engineer --

6 COMMISSIONER JOE DAVIS III: Sure.

7 COMMISSIONER BILLIE JO UNDERWOOD: -- these
8 people right here. If they're not part of that
9 particular discussion, are any of y'all prepared with a
10 number to offer these people today?

11 COMMISSIONER JOE DAVIS III: I've got my
12 thoughts on it. I --

13 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

14 COMMISSIONER JOE DAVIS III: I've not shared
15 any with --

16 COMMISSIONER BILLIE JO UNDERWOOD: No, I
17 haven't, either.

18 COMMISSIONER JOE DAVIS III: -- anybody else.
19 But --

20 COMMISSIONER BILLIE JO UNDERWOOD: I -- I have
21 some numbers I've come up with. So --

22 COMMISSIONER JOE DAVIS III: Sure.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 I've got mine. And if today is the time --

25 COMMISSIONER BILLIE JO UNDERWOOD: You've --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 -- I've got my numbers.

28 COMMISSIONER BILLIE JO UNDERWOOD: You've got

1 your numbers? Okay.

2 COMMISSIONER JOE DAVIS III: But I'm not going
3 to vote for us moving any of those until we agree on a
4 plan. And that's all I'm asking for is a plan to
5 separate those two jobs. And if we can come up with a
6 plan to do that, then I'm ready --

7 COMMISSIONER BILLIE JO UNDERWOOD: What do you
8 say?

9 COMMISSIONER JOE DAVIS III: -- to offer these
10 great folks that do us a wonderful job.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 Okay.

13 COMMISSIONER JOE DAVIS III: Now, we can't make
14 motions and do actions today.

15 COMMISSIONER BILLIE JO UNDERWOOD: No. We're
16 just -- we're just --

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 No.

19 COMMISSIONER JOE DAVIS III: But what I would
20 like is an assurance that we're going to put a plan
21 together. It's not Joe's plan. It's our plan about
22 separating those two jobs.

23 COMMISSIONER BILLIE JO UNDERWOOD: Well, back
24 to the -- I had asked earlier, was there any consensus to
25 move forward with looking at changing any verbiage? And
26 I only heard that you were. Is anyone else interested in
27 looking towards a -- a consensus to even look for it?

28 COMMISSIONER JAMES E. (JEB) BALL: I just -- I

1 don't think that -- The reason I'm not moving forward
2 with that right now is because I don't think it's part of
3 today's discussion. Because we're -- we're in -- we're
4 in this situation now.

5 COMMISSIONER BILLIE JO UNDERWOOD: Okay. So --

6 COMMISSIONER JAMES E. (JEB) BALL: And, so --

7 COMMISSIONER BILLIE JO UNDERWOOD: -- we'll put
8 open later?

9 COMMISSIONER JOE DAVIS III: Oh, yes. The
10 Legislative -- I mean, the way we would get those kind of
11 improvements --

12 COMMISSIONER BILLIE JO UNDERWOOD: Well --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 Well, we've got to --

15 COMMISSIONER BILLIE JO UNDERWOOD: -- these --
16 this helps me with --

17 COMMISSIONER JOE DAVIS III: -- we need to go
18 through the legislative process.

19 COMMISSIONER BILLIE JO UNDERWOOD: -- the --
20 the -- this idea helped me with my amounts, though, is
21 why --

22 COMMISSIONER JOE DAVIS III: I understand.

23 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

24 COMMISSIONER JOE DAVIS III: I understand.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 And, you know, we've got a legislative session fixing to
27 come up, you know. You know, and if we can get this in
28 it, it solves the problem a lot faster, you know, instead

1 of waiting another year or two years, you know. You
2 know --

3 COMMISSIONER BILLIE JO UNDERWOOD: Right. If
4 we put that --

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
6 Yeah.

7 COMMISSIONER BILLIE JO UNDERWOOD: -- language
8 in the contract, if we signed any contracts coming up,
9 even if we hold out on a few --

10 ATTORNEY DAVID CONNER: What --

11 COMMISSIONER BILLIE JO UNDERWOOD: I don't
12 know.

13 ATTORNEY DAVID CONNER: And I -- I would say
14 that if y'all are -- if y'all have a consensus that
15 you're going to discuss that, we ought to put it in
16 there.

17 If you don't have a consensus, then I -- I -- at the
18 end of the day, I don't think you'd have very many
19 appointed contract employees that would object to ending
20 their contract voluntarily to go to a merit system where
21 they have protection.

22 COMMISSIONER JAMES E. (JEB) BALL: No doubt
23 about it.

24 ATTORNEY DAVID CONNER: That's right. And
25 that's probably not as big an issue. I mean, we -- we --

26 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

27 ATTORNEY DAVID CONNER: If we want to plan for
28 it, that would be the way. But, at the end of the day,

1 if we can't get consensus about trying to proceed right
2 now, then you can just leave the contract like it is.

3 And, like I said, when that time comes --

4 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

5 ATTORNEY DAVID CONNER: -- the -- the appointed
6 contract employees are probably not going to object to
7 going to merit.

8 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

9 That's fine.

10 ATTORNEY DAVID CONNER: Does that make sense?

11 COMMISSIONER BILLIE JO UNDERWOOD: It's just --
12 it's just very hard when we're not able to do this except
13 for in an awkward open meeting.

14 ATTORNEY DAVID CONNER: It is. It is. But
15 this is --

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 Well, you know --

18 ATTORNEY DAVID CONNER: Well, and let me say
19 this, too: All -- all County business has to be --

20 COMMISSIONER BILLIE JO UNDERWOOD: I --

21 ATTORNEY DAVID CONNER: -- has to be public.

22 COMMISSIONER BILLIE JO UNDERWOOD: I know.

23 ATTORNEY DAVID CONNER: What makes it awkward
24 is just people in the South and other places don't talk
25 about salaries. They don't talk about these kind of
26 things. And it makes it feel awkward, advances. And --
27 and -- and, so, that's -- that's where the awkward
28 feeling comes from.

1 COMMISSIONER BILLIE JO UNDERWOOD: Well, it's
2 awkward --

3 ATTORNEY DAVID CONNER: But you guys --

4 COMMISSIONER BILLIE JO UNDERWOOD: -- for me.

5 ATTORNEY DAVID CONNER: You guys have to --

6 COMMISSIONER BILLIE JO UNDERWOOD: I -- I
7 understand.

8 ATTORNEY DAVID CONNER: Y'all -- you guys have
9 all got to --

10 COMMISSIONER BILLIE JO UNDERWOOD: I --

11 ATTORNEY DAVID CONNER: -- get in here and have
12 a discussion about it. So, anyway, I -- I -- Just to aid
13 the discussion and -- and help facilitate the meeting, I
14 want to make sure I understood what you said right and
15 what Commissioner Ball said.

16 I think I heard both of y'all say that y'all weren't
17 going to vote on contracts until you had a plan to deal
18 with the Budget Director and the County Administrator;
19 right?

20 COMMISSIONER JAMES E. (JEB) BALL: Right.

21 COMMISSIONER JOE DAVIS III: That's correct.

22 ATTORNEY DAVID CONNER: But that doesn't mean
23 y'all won't talk about the salaries --

24 COMMISSIONER JOE DAVIS III: Oh, no.

25 ATTORNEY DAVID CONNER: -- at this meeting?

26 COMMISSIONER JOE DAVIS III: No.

27 ATTORNEY DAVID CONNER: So I -- I think y'all
28 ought to begin to pick out one and talk --

1 COMMISSIONER JOE DAVIS III: Frankly, I --

2 ATTORNEY DAVID CONNER: -- depending on your
3 availability and time.

4 COMMISSIONER JOE DAVIS III: I think these
5 people will encourage everybody to let's get it tabled.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 Yeah.

8 COMMISSIONER JOE DAVIS III: -- and get that
9 addressed --

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 Yeah.

12 COMMISSIONER JOE DAVIS III: -- so we can move
13 forward with their compensation at a -- at a level that
14 is appropriate. And we don't have a single soft spot, in
15 my opinion.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 Yeah.

18 COMMISSIONER JOE DAVIS III: So it's not about
19 throwing anybody under the bus. But it's about making
20 sure we've got our plan for the -- for the future.

21 ATTORNEY DAVID CONNER: And Commissioner
22 Underwood, I think, is fixing to leave. Are we going to
23 recess and reconvene when she comes back, or what --
24 that's the plan?

25 COMMISSIONER JAMES E. (JEB) BALL: I really --
26 I mean, I don't know.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 Well, if -- if -- if this is an issue between --

1 COMMISSIONER JAMES E. (JEB) BALL: This is what
2 happened last time, too, we -- we -- we --

3 COMMISSIONER JOE DAVIS III: Yeah.

4 COMMISSIONER JAMES E. (JEB) BALL: -- tried to
5 do this. So --

6 COMMISSIONER BILLIE JO UNDERWOOD: Well, I
7 can -- I have some numbers. But I don't know --

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 Well, if --

10 COMMISSIONER BILLIE JO UNDERWOOD: -- if that
11 makes any difference right now.

12 COMMISSIONER JOE DAVIS III: Do we have a -- Do
13 we agree on the concept that we're going to put a plan
14 together to separate those two jobs?

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Well, you know --

17 COMMISSIONER JOE DAVIS III: And if we're
18 not --

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 -- I don't consider it a problem.

21 COMMISSIONER JOE DAVIS III: -- I'm not going
22 to vote for anything.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 Personally, I don't see that, where there's a problem.
25 Because, you know, it's not -- it's -- it's working, you
26 know, and -- and it's not broken.

27 And it's -- it's worked good for the last four or
28 five whatever years it's been. And it's -- hadn't had

1 any problems with it, you know.

2 And, you know, if we're adding stipulations, well,
3 if we don't do this, we're not going to do this, I mean,
4 you know -- you know, I don't like adding any
5 stipulations, you know, to anything, you know.

6 And if we -- you know, if we can't -- we've got
7 contracts for everybody. If we can't sit down here and
8 discuss these contracts and say, well, we're not going to
9 do this until we have this already set in place is wrong,
10 you know. That's, you know --

11 COMMISSIONER JOE DAVIS III: We disagree.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 We're -- we're using -- we're using that person as a
14 hostage.

15 COMMISSIONER JOE DAVIS III: No.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 Yes, we are. Yes, it is. Because that's a position that
18 he's filled right now and he's got the contract.

19 COMMISSIONER JOE DAVIS III: He's got two jobs.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 He's got two jobs. But -- but he --

22 COMMISSIONER JOE DAVIS III: He's only one
23 person.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 But you're still stipulating that until that position is
26 determined of what's going to happen with it, then we're
27 not going forward. And that's not fair to the rest of
28 these other people.

1 COMMISSIONER JOE DAVIS III: Well, then we
2 ought to put a plan together to agree to separate those
3 two jobs. That's all I'm asking. I'm not saying we've
4 got to separate the jobs and put people in there before
5 we raise these people's salaries.

6 But I can't, in good conscience, move forward with
7 pay increases when we have a strategic flaw in the way
8 we're set up. And it's nothing about his capabilities.
9 But we've got him wearing two hats that are more than any
10 one individual should wear. And that's where I stand.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 Well, okay.

13 COMMISSIONER JAMES E. (JEB) BALL: And, Skip,
14 it has -- Mr. Chairman, it has been brought up that we
15 hire an Assistant Administrator, and that that would help
16 him out.

17 All we're saying is have a Budget Director and
18 Administrator instead of a Budget Director and an
19 Administrator and Assistant Administrator.

20 COMMISSIONER JOE DAVIS III: Yeah.

21 COMMISSIONER JAMES E. (JEB) BALL: I mean, is
22 that what -- what we're saying? I mean, I don't know.

23 COMMISSIONER JOE DAVIS III: That was an option
24 mentioned. But --

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 But the option is not -- the way -- the way it sounds to
27 me is that's not an option anymore, you know.

28 COMMISSIONER JAMES E. (JEB) BALL: Well, I just

1 don't want to get into the fact to where if we go under
2 the lights with these contracts and we vote not to
3 approve anybody's contract, then these -- then
4 everybody's contract, if I'm not mistaken, that --
5 Mr. Conner, that they will stay the -- remain the same
6 for four years. If there was a two-two --

7 COMMISSIONER BILLIE JO UNDERWOOD: It rolls
8 over.

9 ATTORNEY DAVID CONNER: It would -- it would
10 just continue.

11 COMMISSIONER JAMES E. (JEB) BALL: Okay.

12 ATTORNEY DAVID CONNER: Because the way that --
13 the way that I understand the statute to read, it takes a
14 three-fourths vote of the Commission --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Yeah.

17 ATTORNEY DAVID CONNER: -- to take an action to
18 renew or cancel the contract.

19 COMMISSIONER JAMES E. (JEB) BALL: Right.

20 COMMISSIONER BILLIE JO UNDERWOOD: Well --

21 ATTORNEY DAVID CONNER: And so after that
22 ninety (90) days, the contract would just continue to go
23 until y'all did take action.

24 COMMISSIONER BILLIE JO UNDERWOOD: I don't
25 think it's fair to all of the contract employees. I was
26 prepared to offer a few numbers today. But -- but
27 this --

28 ATTORNEY DAVID CONNER: Might -- might -- might

1 I make a suggestion, Mr. Chairman, just to kind of
2 facilitate where we are? If I've heard this wrong, y'all
3 tell me. Because this -- this is your decision. You all
4 have to decide what to do.

5 What I heard Commissioner Ball and Commissioner
6 Davis say was that they wanted a plan together to address
7 the County Administrator and Budget Director, and that
8 they would not vote on the contracts until that was
9 addressed.

10 I didn't hear them say they wouldn't even discuss
11 the salaries. I -- I think y'all are willing to go
12 forward today to discuss salaries for individual
13 positions.

14 COMMISSIONER JOE DAVIS III: Uh-huh. (Indicates
15 affirmatively.)

16 COMMISSIONER JAMES E. (JEB) BALL: Uh-huh.
17 (Indicates affirmatively.)

18 ATTORNEY DAVID CONNER: They just said they
19 wouldn't want the package to come up for a vote; or if it
20 did, they wouldn't be able to vote for it unless that was
21 resolved.

22 So you've got to leave. What I would suggest, if
23 you've got time, is to take a lunch recess and then
24 reconvene this meeting to begin to discuss the
25 individuals. Or if you don't do that today, set a time
26 that you're going to. But you're all here. I mean, it's
27 up to your individual schedules.

28 COMMISSIONER BILLIE JO UNDERWOOD: Well,

1 everybody has got to go to lunch anyway.

2 COMMISSIONER JOE DAVIS III: That's true.

3 ATTORNEY DAVID CONNER: And then you can come
4 back; right?

5 COMMISSIONER BILLIE JO UNDERWOOD: I'll come
6 back.

7 ATTORNEY DAVID CONNER: But that's up to your
8 individual schedules.

9 COMMISSIONER BILLIE JO UNDERWOOD: Okay. I'll
10 note that I'm leaving. Thank you.

11 COMMISSIONER JAMES E. (JEB) BALL: Well --

12 COMMISSIONER BILLIE JO UNDERWOOD: I can come
13 back.

14 COMMISSIONER JAMES E. (JEB) BALL: --
15 Mr. Chairman, I -- I make a motion then that -- Can we
16 make a motion?

17 ATTORNEY DAVID CONNER: He -- he would just
18 recess the meeting --

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Do y'all --

21 ATTORNEY DAVID CONNER: -- until a time --

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Do y'all want to recess the meeting until what time?

24 COMMISSIONER BILLIE JO UNDERWOOD: 1:15.

25 COMMISSIONER JOE DAVIS III: One o'clock, 1:15.

26 COMMISSIONER BILLIE JO UNDERWOOD: 1:00.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 1:00?

1 COMMISSIONER BILLIE JO UNDERWOOD: If everybody
2 can.

3 COMMISSIONER JOE DAVIS III: Sure.

4 COMMISSIONER BILLIE JO UNDERWOOD: -- be back
5 here at 1:00.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 One o'clock?

8 COMMISSIONER JOE DAVIS III: One o'clock.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 All right.

11 COMMISSIONER JOE DAVIS III: Sure.

12 COMMISSIONER BILLIE JO UNDERWOOD: Thank y'all.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 Well, then we will reconvene this meeting at one o'clock.

15

16 (The Baldwin County Commission Work Session was recessed at
17 11:47 a.m.)

18 (The Baldwin County Commission Work Session resumed at 1:06 p.m.)

19

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 It's one o'clock. We're back in session.

22 COMMISSIONER JOE DAVIS III: All right.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 And I guess we'll -- Do we need to recap anything we went
25 over before lunch?

26 COMMISSIONER JAMES E. (JEB) BALL: No.

27 COMMISSIONER BILLIE JO UNDERWOOD: I don't
28 think so.

1 COMMISSIONER JOE DAVIS III: No.

2 COMMISSIONER JAMES E. (JEB) BALL: But I'm --
3 I'm ready with moving forward with throwing numbers out
4 there, Mr. Chairman. I don't know how we do this. Do we
5 do it -- address each employee one at the time?

6 ATTORNEY DAVID CONNER: I -- I would think so.
7 Because I think -- I think different people have
8 different changes. For example, Ron's different --
9 Ballard's -- different than other people.

10 COMMISSIONER JAMES E. (JEB) BALL: Right.

11 ATTORNEY DAVID CONNER: I think you ought to
12 bring them up one at the time and address them, unless
13 you want to go across the board for a second.

14 COMMISSIONER JAMES E. (JEB) BALL: That's fine.
15 Okay. Did you -- did you write down your --

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 I've got some numbers I wrote down, yeah.

18 COMMISSIONER JAMES E. (JEB) BALL: Okay.

19 MS. KIM CREECH: Y'all need a whiteboard to go
20 and open up and put your list?

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 If you want to, yeah.

23 COMMISSIONER JAMES E. (JEB) BALL: I guess
24 we're going to have four different numbers. And we'll
25 pick from the four.

26 COMMISSIONER JOE DAVIS III: Or get the
27 average, the mean, or the median.

28 MR. CLIFF McCOLLUM: Somebody's going to have

1 to throw a dart.

2 COMMISSIONER JOE DAVIS III: Don't need to put
3 darts in here.

4 MS. KIM CREECH: I mean, that's what's been in
5 the past, with a whiteboard. And it was listed four
6 different numbers.

7 COMMISSIONER JAMES E. (JEB) BALL: You got one?

8 COMMISSIONER BILLIE JO UNDERWOOD: You got a
9 whiteboard?

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 Yeah. There's one right behind you in that -- in that
12 box.

13 MR. CLIFF McCOLLUM: I've always wondered what
14 that was.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Yeah, that's a whiteboard.

17 COMMISSIONER JAMES E. (JEB) BALL: Who wants
18 to -- Commissioner, do you want to start it off?

19 COMMISSIONER BILLIE JO UNDERWOOD: Let's go in
20 order; 1, 2, 3, 4.

21 COMMISSIONER JOE DAVIS III: We've got a system
22 here. That's sounds like a plan.

23 COMMISSIONER JAMES E. (JEB) BALL: So who do
24 y'all -- who --

25 COMMISSIONER BILLIE JO UNDERWOOD: I would put
26 everybody's names and get ready. I don't want to be
27 Vanna White, but --

28 COMMISSIONER JOE DAVIS III: Oh, come on.

1 MS. KIM CREECH: Joey's behind you.

2 COMMISSIONER BILLIE JO UNDERWOOD: Joey.

3 MR. JOEY NUNNALLY: I've got it.

4 COMMISSIONER BILLIE JO UNDERWOOD: Joey's got
5 it. Okay. All right, Joey. Joey's the first one.

6 MR. JOEY NUNNALLY: Who do you want to start
7 with?

8 COMMISSIONER BILLIE JO UNDERWOOD: Start with
9 Joey, County Engineer.

10 MR. JOEY NUNNALLY: We can do that. 1, 2, 3,
11 4.

12 COMMISSIONER JAMES E. (JEB) BALL: I do want to
13 take the time to tell everybody thank you for turning in
14 what Commissioner Underwood requested. Because --

15 COMMISSIONER JOE DAVIS III: Exactly.

16 COMMISSIONER JAMES E. (JEB) BALL: -- some of
17 that stuff was pretty impressive, the write-ups and
18 stuff. It gave me a lot of knowledge. I spent all
19 weekend looking over that stuff. So appreciate it, guys.

20 COMMISSIONER JOE DAVIS III: As did I.

21 COMMISSIONER JAMES E. (JEB) BALL: So, Joey.
22 For Joey from Number 1, I've got Joey at one fifty
23 (\$150,000).

24 COMMISSIONER JOE DAVIS III: And I had one
25 fifty-one, four eighty-two (\$151,482). That would be --

26 MR. CLIFF McCOLLUM: It's The Price Is Right.

27 COMMISSIONER JOE DAVIS III: -- a
28 twelve percent (12%) increase over his current

1 compensation, if I did it -- if I did the math right.

2 COMMISSIONER BILLIE JO UNDERWOOD: I have one
3 fifty-five (\$155,000).

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 And what I did was a ten percent (10%), which would be
6 one forty-eight, seven seven seven (\$148,777).

7 COMMISSIONER BILLIE JO UNDERWOOD: Which one do
8 you like?

9 COMMISSIONER JOE DAVIS III: That's not how it
10 works.

11 COMMISSIONER BILLIE JO UNDERWOOD: That's not
12 what he asked. He might not like any of them.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 Well, you know, I mean, you know, I don't mind dropping
15 mine. You know, I'll say that right upfront. I don't
16 mind dropping mine. I just, you know, what I figured --
17 because what I heard from everyone --

18 COMMISSIONER JOE DAVIS III: Uh-huh.
19 (Indicates affirmatively.)

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 -- you know, y'all said y'all were not considering --
22 you would not consider more than a ten percent (10%) is
23 what I heard. Now, I may be -- I may have heard wrong.

24 COMMISSIONER JOE DAVIS III: Well, I think what
25 I said initially was that everybody would get at least
26 five percent (5%), and then you would do other -- and I
27 ended up without anybody at a five percent (5%). But
28 that was my -- kind of my floor to start with and go up.

1 COMMISSIONER BILLIE JO UNDERWOOD: I want to
2 say that none of mine are based on anybody else. Every
3 position --

4 COMMISSIONER JOE DAVIS III: Same here.

5 COMMISSIONER BILLIE JO UNDERWOOD: -- is unique
6 and on its own. And so I didn't go by any particular
7 percentage. What I did was look at some comps. And
8 that's where I came up with my number.

9 MR. JOEY NUNNALLY: So -- did my number -- The
10 one that I submitted to y'all was one sixty-five
11 (\$165,000). I mean, I came up with that based on my
12 comparisons with other State and County Engineers across
13 the state.

14 I did want to clarify. I think one of the -- some
15 of the information that I think Deidra sent out had
16 Mobile County at a hundred and twenty-six (\$126,000) or a
17 hundred twenty-eight (\$128,000).

18 But Mobile County's got two; okay? They have got
19 one to do design stuff, and then they have got one to do
20 operational stuff, maintenance stuff, construction stuff
21 and all that. So they're operating with two.

22 They used to have one, which was Joe Lee. He was up
23 about one eighty (\$180,000), one ninety (\$190,000). So
24 they -- when he left, they broke it down into two
25 different positions.

26 You know, obviously, just to reiterate, the State
27 reimburses seventy percent (70%) of my salary, up to a
28 hundred and eight thousand (\$108,000). So -- so that

1 does help.

2 I mean, I've given you all my bullet points. I've
3 got almost twenty-five (25) years service. I've been --
4 all twenty-five (25) of it has been right here in Baldwin
5 County, Mobile County, dealing with these contractors,
6 dealing with consultants, knowing who's good at what and
7 who's not good at what, which is very, very -- very, very
8 important.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 Yep.

11 COMMISSIONER JAMES E. (JEB) BALL: And when we
12 get into this note in this contract, I think in the past
13 y'all have been scared about not ever getting a raise,
14 because you're signing a four-year contract.

15 And, you know, in this contract, it says that you
16 are, you know, based on -- when we come up with an
17 evaluation type process for y'all, based on how the
18 evaluation process is going to go for everybody, you
19 know, you're entitled -- Not entitled -- but you could
20 get a raise or not get a raise.

21 COMMISSIONER JOE DAVIS III: Yeah.

22 COMMISSIONER JAMES E. (JEB) BALL: So I just
23 want -- you know, I think it's been -- somebody --
24 actually, the words were they were scared they would
25 never get another raise, if they didn't reach for the
26 moon the first -- first time on all salaries.

27 I mean, I -- I admit that I was -- I was kind of
28 caught off guard by the -- the one sixty-five (\$165,000).

1 But I'm happy with some fluctuating of these numbers
2 somewhere up in here. I don't know how we'll -- you
3 know, you add all those up. You know, if you take
4 Skip's -- I mean, Skip said --

5 COMMISSIONER JOE DAVIS III: If you take the
6 high and low and do those as an average, it would be one
7 fifty-three (\$153,000).

8 COMMISSIONER BILLIE JO UNDERWOOD: About one
9 fifty-two (\$152,000).

10 COMMISSIONER JOE DAVIS III: If you threw out
11 the high and the low, you'd be at one fifty-one
12 (\$151,000) something. I'm -- I'm okay with any of those
13 numbers. I'll be honest with you, because -- and -- and
14 here again, I'm not throwing anybody under the bus.

15 COMMISSIONER BILLIE JO UNDERWOOD: I'd like
16 even numbers. So can we just like do like an even
17 number, whatever we come up with?

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 All right.

20 COMMISSIONER BILLIE JO UNDERWOOD: But you
21 don't have to. That's just what I like. That's just --

22 COMMISSIONER JOE DAVIS III: I did --

23 COMMISSIONER BILLIE JO UNDERWOOD: -- what I
24 like.

25 COMMISSIONER JOE DAVIS III: -- a calculation.

26 COMMISSIONER BILLIE JO UNDERWOOD: Yours was a
27 calculation. Yours --

28 COMMISSIONER JOE DAVIS III: Yeah, yeah.

1 COMMISSIONER BILLIE JO UNDERWOOD: -- was a
2 calculation.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 Yeah. Mine was strictly --

5 COMMISSIONER BILLIE JO UNDERWOOD: Right.

6 COMMISSIONER JOE DAVIS III: I did, too.

7 COMMISSIONER JAMES E. (JEB) BALL: I'm just
8 going to going to make a recommendation and maybe help us
9 all out, that we -- we go to -- I'll entertain one
10 fifty-four (\$154,000). Y'all got any -- I'm just
11 throwing it out there, trying to get to -- Because we've
12 got nine of these to go through.

13 COMMISSIONER BILLIE JO UNDERWOOD: Well, you're
14 willing to go to one fifty-four (\$154,000). Mine was the
15 highest number. What -- what do you think about one
16 fifty-four (\$154,000)? What do you think about one
17 fifty-four (\$154,000)?

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Yeah, one fifty-four (\$154,000), one fifty-five
20 (\$155,000) is fine with me. Yeah.

21 COMMISSIONER BILLIE JO UNDERWOOD: You're fine
22 with --

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 If you look at state average, I mean --

25 COMMISSIONER BILLIE JO UNDERWOOD: You're fine
26 with one fifty-five (\$155,000)?

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 Right now Joey's ranked Number 16 in the state. And, my

1 gosh, you know, we're a whole lot bigger than anybody
2 else.

3 MR. JOEY NUNNALLY: Yeah.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 So, I mean, he's -- if you look at that ranking, you
6 know, he's -- he's way below.

7 MR. JOEY NUNNALLY: And I sent --

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 And that ranking and the 16 would bring up, I think, one
10 sixty-five (\$165,000), somewhere in there.

11 MR. JOEY NUNNALLY: One sixty-five (\$165,000)
12 brings me up to Number 6 in the state. And, of course,
13 this is the biggest county in the state.

14 COMMISSIONER BILLIE JO UNDERWOOD: One
15 fifty-five (\$155,000) does, or one sixty-five (\$165,000)?

16 MR. JOEY NUNNALLY: One sixty-five (\$165,000)
17 brings me up to Number 6.

18 COMMISSIONER BILLIE JO UNDERWOOD: Brings you
19 up to Number 6.

20 MR. JOEY NUNNALLY: But that was before I got
21 the information last week. Two other engineers got a
22 recent raise to --

23 COMMISSIONER BILLIE JO UNDERWOOD: Right.

24 MR. JOEY NUNNALLY: -- one sixty-five
25 (\$165,000) --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 Smaller counties.

28 MR. JOEY NUNNALLY: -- as well.

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

2 Whole lot smaller.

3 MR. JOEY NUNNALLY: Very small counties.

4 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

5 MR. JOEY NUNNALLY: So I just -- but if
6 Commissioner Ball threw out one fifty-four (\$154,000) --

7 COMMISSIONER JOE DAVIS III: Is this something
8 that we need to have everybody's and then make a decision
9 on it, or --

10 COMMISSIONER JAMES E. (JEB) BALL: One at the
11 time.

12 COMMISSIONER JOE DAVIS III: Just do them one
13 at the time?

14 COMMISSIONER JAMES E. (JEB) BALL: Uh-huh.
15 (Indicates affirmatively.)

16 COMMISSIONER BILLIE JO UNDERWOOD: I think.

17 COMMISSIONER JAMES E. (JEB) BALL: Yeah.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Yeah. I think get them -- get them over with one at the
20 time.

21 COMMISSIONER BILLIE JO UNDERWOOD: One by one.

22 COMMISSIONER JAMES E. (JEB) BALL: Let me --
23 let me make sure -- we're -- we're getting our number
24 straight --

25 COMMISSIONER BILLIE JO UNDERWOOD: It's a
26 consensus.

27 COMMISSIONER JAMES E. (JEB) BALL: -- we're
28 getting numbers straight now. We're not -- All right.

1 ATTORNEY DAVID CONNER: Y'all are -- y'all are
2 giving direction as to what number we're going to put in
3 contract. And y'all will vote on them later.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 Yeah. We're going to vote on them later. But we've got
6 to have a number to put in the contract.

7 COMMISSIONER JOE DAVIS III: And could it
8 change in between now and voting --

9 COMMISSIONER BILLIE JO UNDERWOOD: Okay. So
10 the way --

11 COMMISSIONER JOE DAVIS III: -- I mean, if we
12 decide on a number today?

13 COMMISSIONER BILLIE JO UNDERWOOD: The way this
14 works, whatever we put on the contract, that's our offer,
15 but it doesn't mean they accept it.

16 COMMISSIONER JAMES E. (JEB) BALL: Exactly.

17 COMMISSIONER JOE DAVIS III: That's true.

18 COMMISSIONER BILLIE JO UNDERWOOD: Is there a
19 counteroffer, potentially, that kind of stuff?

20 COMMISSIONER JOE DAVIS III: Yes.

21 COMMISSIONER BILLIE JO UNDERWOOD: It's like
22 buying a house?

23 COMMISSIONER JAMES E. (JEB) BALL: Well, I
24 mean --

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 Well, I mean, I think while we've got them all here --
27 And that's why we've got them all here, was to --

28 COMMISSIONER BILLIE JO UNDERWOOD: Right.

1 MR. JOEY NUNNALLY: I'm comfortable with giving
2 y'all a verbal, I'm good, once we come to this. I'm
3 comfortable moving forward. Is that -- is that kind of
4 the way it works, David?

5 ATTORNEY DAVID CONNER: Technically, there can
6 be no vote. Y'all are not --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 No, no.

9 ATTORNEY DAVID CONNER: What y'all are going to
10 do is try to reach some consensus as to what that number
11 will be so we can put it in the document.

12 MR. JOEY NUNNALLY: With me --

13 ATTORNEY DAVID CONNER: The employee has a
14 chance to tell you, yes, that works for me; or, no, it
15 doesn't. And then but until it's voted on, it's not
16 done.

17 COMMISSIONER BILLIE JO UNDERWOOD: Okay. So --

18 COMMISSIONER JAMES E. (JEB) BALL: I said one
19 fifty-four (\$154,000) to try to get us to one number out
20 of all the numbers up there. Skip said okay on that.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 Or one fifty-five (\$155,000).

23 COMMISSIONER BILLIE JO UNDERWOOD: What -- what
24 do you think?

25 COMMISSIONER JOE DAVIS III: I'd like one
26 fifty-four (\$154,000). I mean, it's more than I put in
27 there, but, hey.

28 MR. JOEY NUNNALLY: I'm -- I'm good with one

1 fifty-four (\$154,000).

2 COMMISSIONER JAMES E. (JEB) BALL: Okay. So
3 there we go.

4 COMMISSIONER JOE DAVIS III: Thank you, Joey.

5 COMMISSIONER JAMES E. (JEB) BALL: All right.
6 Let's go with Brian. Put Brian up there.

7 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

8 MR. JOEY NUNNALLY: I'm a terrible speller.

9 MR. BRIAN PEACOCK: You did good. It's not
10 brain.

11 MR. RON CINK: Not brain.

12 MR. JOEY NUNNALLY: I'm an engineer, not a
13 speller.

14 COMMISSIONER JOE DAVIS III: You're kind of --

15 MR. JOEY NUNNALLY: My brother's name is Brian.

16 COMMISSIONER JOE DAVIS III: That helps.

17 MR. BRIAN PEACOCK: If you mess that up, you're
18 in trouble.

19 MR. JOEY NUNNALLY: That's right.

20 COMMISSIONER BILLIE JO UNDERWOOD: It can be
21 spelled more than one way.

22 COMMISSIONER JAMES E. (JEB) BALL: All right.
23 For Brian, I've got -- I'm going to start off at one
24 twenty-five (\$125,000).

25 COMMISSIONER JOE DAVIS III: I'm the one
26 sixteen (\$116,000).

27 COMMISSIONER BILLIE JO UNDERWOOD: One twenty
28 (\$120,000).

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
2 I'm scared of mine. Well, I did -- I just did ten
3 percent (10%), you know, of what I was looking at. And
4 the reason I looked at that was because of what was
5 mentioned. So, you know, I just --

6 COMMISSIONER JAMES E. (JEB) BALL: Well, just
7 throw a number out of your head up there then.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 Well, you know, one twenty-five (\$125,000) is good with
10 me, too, you know. Because, I mean, it's --

11 COMMISSIONER JAMES E. (JEB) BALL: It's a very
12 important --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 It's very important.

15 COMMISSIONER BILLIE JO UNDERWOOD: I'm --

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 We're looking --

18 COMMISSIONER BILLIE JO UNDERWOOD: -- actually
19 good --

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 -- at jobs that --

22 COMMISSIONER BILLIE JO UNDERWOOD: -- with one
23 twenty-five (\$125,000).

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 -- are very important. And that's what I tried --

26 COMMISSIONER JOE DAVIS III: I am as well.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 -- to say in the beginning.

1 COMMISSIONER BILLIE JO UNDERWOOD: I'm good
2 with one twenty-five (\$125,000). Are you good?

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 Good.

5 COMMISSIONER BILLIE JO UNDERWOOD: Consensus.

6 COMMISSIONER JOE DAVIS III: Because there's
7 nothing new that's going to be coming up. There's
8 nothing new in the technology world. Yeah, right.

9 MR. BRIAN PEACOCK: Maybe not in the next
10 twelve (12) hours.

11 COMMISSIONER JOE DAVIS III: That's what I'm
12 hoping. That's right. Right.

13 MR. JOEY NUNNALLY: One twenty-five (\$125,000)?

14 COMMISSIONER JOE DAVIS III: Yeah.

15 MR. JOEY NUNNALLY: Brian, are you good with
16 that?

17 MR. BRIAN PEACOCK: (Indicates affirmatively.)

18 COMMISSIONER JAMES E. (JEB) BALL: Let's go
19 with Kim.

20 MR. JOEY NUNNALLY: Did I spell that right,
21 Kim?

22 MS. KIM CREECH: Yes.

23 COMMISSIONER JOE DAVIS III: Got the first
24 letter capitalized, too.

25 COMMISSIONER JAMES E. (JEB) BALL: For Kim, I
26 put down one twenty (\$120,000).

27 COMMISSIONER JOE DAVIS III: I had one
28 seventeen, five (\$117,500).

1 COMMISSIONER BILLIE JO UNDERWOOD: Oh, it's my
2 turn. I had one fifteen (\$115,000).

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 All right. I had -- I going to put down one -- one
5 twenty (\$120,000).

6 COMMISSIONER BILLIE JO UNDERWOOD: I'm good
7 with one twenty (\$120,000).

8 COMMISSIONER JOE DAVIS III: I'm good with one
9 twenty (\$120,000).

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 Are you good with one twenty (\$120,000)?

12 MS. KIM CREECH: One twenty (\$120,000) is
13 fantastic.

14 COMMISSIONER BILLIE JO UNDERWOOD: Thank you.

15 MS. KIM CREECH: Thank you.

16 COMMISSIONER JAMES E. (JEB) BALL: All right.
17 Let's go with our old buddy Ron Ballard.

18 MR. JOEY NUNNALLY: Ron B. I'm not going to
19 try Ballard.

20 COMMISSIONER JAMES E. (JEB) BALL: Ron, I've
21 got down eighty-seven (\$87,000).

22 COMMISSIONER JOE DAVIS III: And I've got
23 eighty-five, seven forty-nine (\$85,749). That was a
24 calculation.

25 COMMISSIONER BILLIE JO UNDERWOOD: I have
26 eighty-five (\$85,000) even.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 Well, I had ninety-three (\$93,000).

1 COMMISSIONER BILLIE JO UNDERWOOD: I can go
2 with eighty-seven (\$87,000).

3 COMMISSIONER JOE DAVIS III: I can go with
4 eighty-seven (\$87,000).

5 COMMISSIONER CHRIS ELLIOTT: I'd like to see a
6 little more than that, from what -- what -- what he's
7 been through and what he has brought this organization
8 to, from what it was. I'm telling you. You know, and
9 he's been doing this how many years?

10 MR. RON BALLARD: Twenty-six and a half
11 (26 1/2).

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Not only that, but, I mean, how long have you been --
14 you've been here almost four years now, haven't you?

15 MR. RON BALLARD: Two years, actually.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 Two years. And in two years, he has -- he has turned
18 that thing around. And, you know, and he was making -- I
19 don't mind --

20 COMMISSIONER JAMES E. (JEB) BALL: I'll make
21 it -- I don't like to use this number because of a stigma
22 of a number, but I will -- I will go to ninety (\$90,000).

23 COMMISSIONER BILLIE JO UNDERWOOD: I will go to
24 ninety (\$90,000), but I want it to be -- clarify it has
25 nothing to do with a minimum of appointed --

26 COMMISSIONER JOE DAVIS III: Right.

27 COMMISSIONER BILLIE JO UNDERWOOD: -- person's
28 contract.

1 COMMISSIONER JOE DAVIS III: Absolutely.

2 COMMISSIONER BILLIE JO UNDERWOOD: And I want
3 that well understood.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 No, no. And that it -- It's not a minimum. And -- and,
6 you know --

7 COMMISSIONER JAMES E. (JEB) BALL: And I just
8 want the other contract employees to realize that that --
9 that he's got a jump, now, from -- from the sixty-two
10 (\$62,000) to that. That looks like a lot. But y'all
11 know that he needs to be there just like y'all are there.

12 MR. JOEY NUNNALLY: It's well deserved.

13 COMMISSIONER JOE DAVIS III: Certainly.

14 MR. RON CINK: Yeah.

15 COMMISSIONER BILLIE JO UNDERWOOD: Well, since
16 a lot of things get blamed on the past, I feel like they
17 should have took care of that.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Yeah, it should have been.

20 COMMISSIONER JAMES E. (JEB) BALL: But we're
21 moving past the past.

22 COMMISSIONER JOE DAVIS III: I'll go with the
23 ninety (\$90,000). And, also, it's not just a number
24 pulled out of the sky. It's a calculation based on our
25 formula.

26 MR. JOEY NUNNALLY: I got a thumbs-up back in
27 the back.

28 MR. RON BALLARD: I appreciate it.

1 COMMISSIONER JOE DAVIS III: Thank you.

2 COMMISSIONER JAMES E. (JEB) BALL: Who are we
3 going to save for last?

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 We'll, we've got two more.

6 COMMISSIONER JAMES E. (JEB) BALL: That's
7 right.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
9 Yeah. Okay. Yeah.

10 COMMISSIONER JOE DAVIS III: We've got Mike,
11 and we've got Terri.

12 COMMISSIONER JAMES E. (JEB) BALL: All right.
13 Let's go with Mike. I've got Mike at one ten (\$110,000).

14 COMMISSIONER JOE DAVIS III: I've got him at
15 one-oh-eight, two ninety-nine (\$108,299).

16 COMMISSIONER BILLIE JO UNDERWOOD: One-oh-five
17 (\$105,000).

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 One twelve (\$112,000), almost -- almost one thirteen
20 (\$113,000) one twelve, seven eighty-seven (\$112,787).

21 COMMISSIONER JOE DAVIS III: Just from a
22 calculation point of view, I would like to suggest that
23 we do one-oh-nine (\$109,000). That's throwing out the
24 high and low and the average of the other two. That
25 would be one-oh-nine (\$109,000).

26 COMMISSIONER BILLIE JO UNDERWOOD: I'll go with
27 one-oh-nine (\$109,000).

28 COMMISSIONER JAMES E. (JEB) BALL: One-oh-nine

1 (\$109,000) sounds good.

2 MR. MIKE HOWELL: Let me -- let me bring this
3 up. I mean, and I thank you for the one-oh-nine
4 (\$109,000). But throughout my tenure here, I've always
5 ran ten thousand (\$10,000) behind the departments that I
6 think I've got just as much responsibility as they've
7 got.

8 And I've seen some twenty thousand (\$20,000)
9 increases on the board. And like you were talking about
10 wearing different hats, I've got four hats.

11 If y'all want to remove some of these hats, I will
12 be fine with a hundred and nine (\$109,000). I've got to
13 be your Building Official, your Floodplain Manager, your
14 Coastal Program Director, and your Road Namer, I think I
15 should be up to where these other higher scores went.

16 COMMISSIONER BILLIE JO UNDERWOOD: I think I
17 said at the beginning that each one of these positions
18 are on their own, the way I calculated them. So it
19 wasn't --

20 MR. MIKE HOWELL: Well, my position has more --
21 equal to or more responsibility than these other
22 positions. I'm over the Floodplain. I'm over the
23 Coastal Program, the Building Codes.

24 I mean, I've got -- I've got a massive plateful that
25 I've always done and have always been either at the
26 bottom or at the bottom three.

27 COMMISSIONER BILLIE JO UNDERWOOD: That's all I
28 can do is one-oh-nine (\$109,000).

1 COMMISSIONER JAMES E. (JEB) BALL: We've got
2 three one-oh-nine's (\$109,000) and a one twelve
3 (\$112,000).

4 MR. MIKE HOWELL: If y'all would go to one
5 twelve (\$112,000), I would be happy. That still puts me
6 eight thousand (\$8,000) behind the others.

7 COMMISSIONER BILLIE JO UNDERWOOD: Behind --

8 COMMISSIONER JAMES E. (JEB) BALL: Well, we
9 haven't --

10 COMMISSIONER BILLIE JO UNDERWOOD: -- who?

11 COMMISSIONER JAMES E. (JEB) BALL: We haven't
12 compared anybody, Mike, to -- to anybody. We haven't
13 compared -- You're comparing yourself to everybody else.
14 And that's -- that's -- I mean, that's -- we're just
15 here, us four, throwing out numbers.

16 You can give that rebuttal all day long, but you're
17 still comparing yourself to other people. And you're
18 saying you do just as much work as some of these other
19 people that got raises. And I may beg to differ.

20 So I'm just -- you know, that's just how it is.
21 We -- we -- Commissioner Davis offered for you to get
22 help, and you denied the help.

23 We said we could put more people in the your office.
24 And you said, oh, I can do it all on my own, just give me
25 more money.

26 MR. MIKE HOWELL: It's not more people in the
27 office. It's the responsibility. And it all comes to
28 me.

1 COMMISSIONER JAMES E. (JEB) BALL: I'm --

2 MR. MIKE HOWELL: You can put twenty (20)

3 people under me, it all --

4 COMMISSIONER JAMES E. (JEB) BALL: I'm --

5 MR. MIKE HOWELL: -- it all filters up to me.

6 COMMISSIONER BILLIE JO UNDERWOOD: So you're
7 not -- you wouldn't accept one-oh-nine (\$109,000)?

8 MR. MIKE HOWELL: I wouldn't say I wouldn't
9 accept it. I would --

10 COMMISSIONER JAMES E. (JEB) BALL: Joey, put
11 one-oh-nine (\$109,000) up there for me, please. That's
12 what three of us have decided.

13 MR. JOEY NUNNALLY: Up here?

14 COMMISSIONER JAMES E. (JEB) BALL: Yep. Write
15 Terri's name down.

16 COMMISSIONER JOE DAVIS III: G-R-A-H-A-M,
17 T-E-R-R-I.

18 COMMISSIONER JAMES E. (JEB) BALL: Put two R's
19 in there.

20 MS. TERRI GRAHAM: There you go.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 Well, I'll jump out first. I put one twelve, four
23 ninety-five (\$112,495).

24 MR. JOEY NUNNALLY: One twelve (\$112,000) what?

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 Four ninety-five (\$495).

27 COMMISSIONER BILLIE JO UNDERWOOD: Are we going
28 in reverse order?

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

2 I did it just to --

3 COMMISSIONER JAMES E. (JEB) BALL: I'll throw
4 mine out there. I got one-oh-seven (\$107,000).

5 COMMISSIONER BILLIE JO UNDERWOOD: I have one
6 fifteen (\$115,000).

7 COMMISSIONER JOE DAVIS III: I've got one
8 twelve, six thirty-one (\$112,631).

9 COMMISSIONER BILLIE JO UNDERWOOD: Looks like
10 one twelve (\$112,000) is about the middle.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 So you throw out the --

13 COMMISSIONER JOE DAVIS III: Right. The high,
14 low, and average the other two. I mean, that's just a
15 way to do it. It's pretty much one twelve (\$112,000).

16 COMMISSIONER BILLIE JO UNDERWOOD: Well, one
17 eleven (\$111,000), actually, high and low.

18 COMMISSIONER JOE DAVIS III: Well, you've got
19 one twelve, six thirty-one (\$112,631) and one twelve,
20 four ninety-five (\$112,495). This would be taking out
21 the high and the low.

22 COMMISSIONER BILLIE JO UNDERWOOD: Oh, taking
23 out the high and the low. I though you -- Never mind.

24 COMMISSIONER JOE DAVIS III: Yeah, I mean,
25 that --

26 COMMISSIONER BILLIE JO UNDERWOOD: I just
27 didn't -- That's okay.

28 COMMISSIONER JOE DAVIS III: Well, here again,

1 it's just a way -- one number's got to go --

2 COMMISSIONER JAMES E. (JEB) BALL: What about
3 one twelve (\$112,000)?

4 MS. TERRI GRAHAM: I would be happy with one
5 twelve (\$112,000). And I would appreciate it.

6 COMMISSIONER BILLIE JO UNDERWOOD: One twelve
7 (\$112,000).

8 COMMISSIONER JOE DAVIS III: That's, two, four,
9 six -- Ron. I mean, yeah, Ron. And we've got two that
10 are interim. So we're dealing with them and a second.

11 COMMISSIONER JAMES E. (JEB) BALL: We're up to
12 Ron now, Ron Cink.

13 And, Ron, you know what me and you have talked
14 about; right?

15 MR. RON CINK: Uh-huh. (Indicates
16 affirmatively.)

17 COMMISSIONER JAMES E. (JEB) BALL: So this
18 ain't going to surprise you when I say -- I'm going to
19 throw this out there -- that Ron Cink as a Budget
20 Director at one twenty-three (\$123,000).

21 MR. JOEY NUNNALLY: How about if I do this,
22 Budget --

23 COMMISSIONER JAMES E. (JEB) BALL: I'm not
24 going to -- I'm not going to separate -- You don't have
25 to do that, Joey.

26 MR. JOEY NUNNALLY: No?

27 COMMISSIONER JAMES E. (JEB) BALL: (Indicates
28 negatively.)

1 MR. JOEY NUNNALLY: Okay.

2 COMMISSIONER JOE DAVIS III: If somebody wants
3 to have a line that says Ron Cink, Director, I guess we
4 could, but --

5 MR. JOEY NUNNALLY: One twenty-three
6 (\$123,000)?

7 COMMISSIONER JOE DAVIS III: I've got one
8 twenty-one, four ninety-seven (\$121,497).

9 COMMISSIONER BILLIE JO UNDERWOOD: I have one
10 twenty (\$120,000).

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 I have one twenty-two, seventy-eight (\$122,078). That's
13 Administrator and Budget.

14 MR. JOEY NUNNALLY: One twenty-two (\$122,000)?

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Seven twenty-eight (\$728). That's with Budget and the
17 Administration.

18 COMMISSIONER BILLIE JO UNDERWOOD: That -- that
19 was what mine was as well, I mean, as far as the number,
20 but --

21 COMMISSIONER JAMES E. (JEB) BALL: What was
22 yours?

23 COMMISSIONER JOE DAVIS III: One twenty-one,
24 four ninety-seven (\$121,497) as Budget Director.

25 MR. RON CINK: I'm good all the way around. I
26 don't care. I really am.

27 COMMISSIONER JOE DAVIS III: Yeah.

28 MR. RON CINK: I mean, y'all need to -- y'all

1 need to figure out what y'all -- I'll do either job.

2 COMMISSIONER JAMES E. (JEB) BALL: What I'm
3 asking -- what I'm asking, would it be okay, Ron, with
4 you if -- like what we talked about, and you said it was
5 okay, if you became Budget Director with the pay and then
6 let somebody else come in and be an Administrator?

7 MR. RON CINK: Sure. It's -- I mean, if you go
8 back and look at the meeting, ladies and gentlemen, when
9 it occurred, what did I say, Cliff? I stood up and I
10 said, I work at the pleasure of the Commission.

11 MR. CLIFF McCOLLUM: Of the Commission.

12 MR. RON CINK: Okay? And you saw in my
13 write-up to all of y'all --

14 COMMISSIONER JAMES E. (JEB) BALL: Right.

15 MR. RON CINK: -- what I did.

16 COMMISSIONER JAMES E. (JEB) BALL: There's no
17 doubt that you do tons.

18 COMMISSIONER JOE DAVIS III: No question.

19 MR. RON CINK: Okay? So --

20 COMMISSIONER JAMES E. (JEB) BALL: And -- and I
21 think -- and I think -- I think if we -- if we move
22 forward in a contractual basis for Budget Director for a
23 certain amount of money, that it would get the votes
24 needed to pass that. Otherwise, it's going back to
25 Budget Director/Administrator with --

26 COMMISSIONER JOE DAVIS III: Existing numbers.

27 COMMISSIONER JAMES E. (JEB) BALL: -- existing
28 numbers. So I mean, I -- I don't know what to do. This

1 is the only one that I'm -- I'm hung up on.

2 So what would your advise be?

3 ATTORNEY DAVID CONNER: Well, if y'all can't
4 agree as to what to do at the moment, at a minimum, what
5 I think what you ought to do is make him the Budget
6 Director. And since you don't have a County
7 Administrator at the moment, name him as the interim.

8 COMMISSIONER JAMES E. (JEB) BALL: Right.

9 ATTORNEY DAVID CONNER: So that you've got both
10 those positions covered.

11 COMMISSIONER JAMES E. (JEB) BALL: Right.

12 ATTORNEY DAVID CONNER: Now, if y'all
13 ultimately decide that he's going to be County
14 Administrator or you're going to keep it like it is, then
15 you'd make that permanent.

16 COMMISSIONER JAMES E. (JEB) BALL: Right.

17 ATTORNEY DAVID CONNER: But that -- that would
18 be the short fix, based on a two-to-two here. Because it
19 takes three-fourths. Somebody's got to bend to
20 ultimately make this happen one way or the other, or it
21 just continues on like it is until y'all get there.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Well, I don't know what's broken. That's the part that I
24 don't understand. I don't know what's broken with having
25 one person being the Administrator and Budget Director.

26 He's got staff under the Budget that helps him along
27 and makes it -- makes it so much easier. Administrative
28 is where we all need some help.

1 And it's not -- not -- He's asked for it. He's
2 asked for it. And but it's not so such all of it, just
3 the budget. But what I'm saying is I don't see -- I
4 don't -- I don't know what's broken.

5 And, you know, if somebody would tell me what's
6 broken, that it's not -- we can't continue this way, you
7 know, I'm -- I'm ready -- I'm ready to listen. You know,
8 I -- I don't know what's broken that it has to be
9 separated, that it has to be separated.

10 COMMISSIONER BILLIE JO UNDERWOOD: When --
11 I'm -- I've been trying to do a lot of research from
12 the -- over the years. At what point did we have
13 Assistant Administrator? And when did we stop having an
14 Assistant Administrator or --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 It goes back --

17 COMMISSIONER BILLIE JO UNDERWOOD: -- over the
18 time you've been here.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Okay. It goes back to Mike Thompson.

21 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 He was there when I went in office.

24 COMMISSIONER BILLIE JO UNDERWOOD: When you
25 were elected?

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 When I was elected.

28 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
2 He had David Brewer as his Assistant.

3 COMMISSIONER BILLIE JO UNDERWOOD: Okay. So he
4 had an Assistant.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
6 He had an Assistant.

7 COMMISSIONER BILLIE JO UNDERWOOD: Okay. All
8 right. And then in '10 --

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 And that lasted, you know, for, what, eight years, four
11 years.

12 MR. RON CINK: David was -- was the Assistant
13 for --

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 Oh, yeah. He was the Assistant way before that, too.
16 But I'm saying, you know, but there was always an
17 Assistant Administrator.

18 COMMISSIONER BILLIE JO UNDERWOOD: Okay. And
19 then --

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 And then when Mike came here, then he keep him as his
22 Assistant, because he did a lot of the -- the research
23 work, you know, reading stuff, you know. And it, you
24 know -- and David was good at that. And that's what he
25 did good. All right. Then --

26 COMMISSIONER BILLIE JO UNDERWOOD: In 2010 --

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 And then when the next four years --

1 COMMISSIONER BILLIE JO UNDERWOOD: Then they
2 made Brewer --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 -- it was made Brewer the Interim.

5 COMMISSIONER BILLIE JO UNDERWOOD: But was
6 there an Assistant?

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 He was made Interim. He was never appointed. He was
9 never -- for his whole time was he ever -- he was
10 never --

11 MR. RON CINK: Oh, yeah, he was.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Was he?

14 MR. RON CINK: Oh, yeah.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 Later on. I think it was --

17 MR. RON CINK: He was appointed Administrator.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 In the first -- in the beginning? I thought he --

20 MR. RON CINK: Yeah. He had a contract. He
21 was under contract.

22 COMMISSIONER BILLIE JO UNDERWOOD: You've got
23 that spreadsheet that shows --

24 COMMISSIONER JOE DAVIS III: Did he have an
25 Assistant when he became --

26 MR. RON CINK: No, sir.

27 COMMISSIONER JOE DAVIS III: -- Administrator?

28 COMMISSIONER JAMES E. (JEB) BALL: No, he

1 didn't.

2 MR. RON CINK: No, sir.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

4 And let me tell you what. We were in lawsuit after
5 lawsuit after lawsuit. I can't tell you how many
6 lawsuits we had because we didn't have somebody helping
7 in that position, you know.

8 COMMISSIONER BILLIE JO UNDERWOOD: So we
9 haven't had -- My -- my question is, since you've been a
10 Commissioner, okay, we've only had an Assistant
11 Administrator for the first four years of your term?

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

13 Yes.

14 COMMISSIONER BILLIE JO UNDERWOOD: Is that
15 right?

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

17 Yeah.

18 COMMISSIONER BILLIE JO UNDERWOOD: I do think
19 it's important, regardless of what we decide, that we
20 have an Assistant Administrator. Because I think most
21 everybody here has got an Assistant underneath them,
22 don't they, in all the departments?

23 Do you have an Assistant?

24 MS. TERRI GRAHAM: (Indicates affirmatively.)

25 COMMISSIONER BILLIE JO UNDERWOOD: Do you have
26 an Assistant?

27 MS. KIM CREECH: (Indicates negatively.)

28 COMMISSIONER BILLIE JO UNDERWOOD: No? Like if

1 you don't wake up tomorrow, what happens to your
2 department? That's the kind of thing I'm looking at.

3 COMMISSIONER JOE DAVIS III: Chain of command.

4 MS. KIM CREECH: But I don't necessarily have
5 an Administrative Assistant, but some do. But I do
6 have --

7 COMMISSIONER BILLIE JO UNDERWOOD: Not that
8 title.

9 MS. KIM CREECH: -- an Accounting -- yes.

10 COMMISSIONER BILLIE JO UNDERWOOD: Okay. And
11 so in the Administrator's position that we have right
12 now -- And I'm not talking with firing somebody; I'm
13 talking about if they don't wake up tomorrow; okay? What
14 happens in the Administrator's right now? Who would --

15 MR. RON CINK: What, if I kicked the bucket
16 tomorrow?

17 COMMISSIONER BILLIE JO UNDERWOOD: Yeah. This
18 is a kick-the-bucket scenario, not an --

19 MR. RON CINK: Unfortunately, y'all would be in
20 a mess.

21 COMMISSIONER BILLIE JO UNDERWOOD: Pretty
22 high --

23 COMMISSIONER JOE DAVIS III: Don't have --

24 COMMISSIONER BILLIE JO UNDERWOOD: -- and
25 dry --

26 COMMISSIONER JOE DAVIS III: -- anybody --

27 COMMISSIONER BILLIE JO UNDERWOOD: -- without
28 it.

1 MR. RON CINK: I -- I mean --

2 MS. KIM CREECH: I step in and --

3 COMMISSIONER JOE DAVIS III: Bits and pieces.

4 MS. KIM CREECH: I step in. That's the role of
5 the Treasurer over years and years.

6 MR. RON CINK: Uh-huh. (Indicates
7 affirmatively.)

8 MS. KIM CREECH: And that's like the
9 Clerk/Treasurer, when I came to work here in 2006, was
10 doing dual roles, before Michael Thompson was Interim
11 and --

12 COMMISSIONER BILLIE JO UNDERWOOD: I thought
13 Brewer was the Assistant.

14 MS. KIM CREECH: He was the -- His title was
15 the Assistant to the Administration. It wasn't the
16 Assistant Administrator.

17 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

18 MS. KIM CREECH: When Mr. Williams left, that
19 was one thing that he requested, was for David to be the
20 Assistant Administrator.

21 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

22 MS. KIM CREECH: And then that's -- that's what
23 happened there. But it's been the role that in my
24 position, I've stepped in to assist for meetings. David
25 couldn't be there. Ron couldn't there. I've stepped in
26 to --

27 COMMISSIONER JOE DAVIS III: Became the third
28 presiding officer.

1 MS. KIM CREECH: Yes.

2 COMMISSIONER BILLIE JO UNDERWOOD: But that
3 comes to another appointed person carrying on another
4 role, which is something that we are trying to get away
5 from.

6 ATTORNEY DAVID CONNER: If you -- if you hire
7 an Assistant right now --

8 COMMISSIONER JAMES E. (JEB) BALL: That'd be
9 merit.

10 ATTORNEY DAVID CONNER: -- that's a merit
11 system.

12 COMMISSIONER BILLIE JO UNDERWOOD: Right.

13 ATTORNEY DAVID CONNER: The only people that's
14 contract is the ones that are listed.

15 COMMISSIONER BILLIE JO UNDERWOOD: But if he
16 was not here, would that Assistant be the one that would
17 conduct the meeting, or would it be you?

18 ATTORNEY DAVID CONNER: I think in your job --
19 you would decide in your --

20 MR. RON CINK: Yeah.

21 ATTORNEY DAVID CONNER: -- job titles what the
22 chain of succession would be, whether it's the Assistant
23 or whether or not it's --

24 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

25 ATTORNEY DAVID CONNER: -- Kim.

26 MR. RON CINK: Right.

27 ATTORNEY DAVID CONNER: And then --

28 COMMISSIONER BILLIE JO UNDERWOOD: I'm just

1 trying --

2 ATTORNEY DAVID CONNER: -- as soon as you'll
3 got back together, more than likely, you would hire an
4 Interim until you could find someone to replace that --

5 MR. RON CINK: Now, I built strength in -- All
6 my departments are pretty autonomous. In other words,
7 they'll operate; okay? But then it's putting the
8 whole -- the whole mud pie together; okay?

9 MS. KIM CREECH: In the law, it -- it -- it
10 states the Chief Administrative Officer is what these
11 Administrators work up under.

12 MR. RON CINK: Uh-huh. (Indicates
13 affirmatively.)

14 MS. KIM CREECH: And it lists job duties. And
15 so I'm joined at the hip with the Administrator, whoever
16 the Administrator is. Because there's a listing of like
17 seven things. I do four of those seven things.

18 And like in most every county, like the County
19 credit card can only be used for goods and services held
20 by the Chief Administrative Officer.

21 Well, we -- we made our policy design because I
22 held -- I did four of those functions of seven. So we
23 got approved that my position --

24 COMMISSIONER BILLIE JO UNDERWOOD: Could do all
25 of those.

26 MS. KIM CREECH: -- does those administrative
27 type --

28 COMMISSIONER BILLIE JO UNDERWOOD: The areas.

1 MS. KIM CREECH: -- areas. So that's the
2 reason I hold those credit cards. So that's the reason
3 my position is joined at the -- what I always call it,
4 we're joined at the hip.

5 Because there's a lot of things that come down from
6 the Administration side that I carry that function and
7 the Administrator is really carrying a lot of the
8 administration functions.

9 MR. RON CINK: Yeah. And a lot of the -- A lot
10 of Administrators in other counties that I interface with
11 all the time, they're focused on -- I guess the -- the
12 two main issues are personnel -- They drive personnel,
13 and then they drive financials; okay?

14 So that's why -- that's why Kim and I work so
15 closely together. Because I'm driving a lot of
16 personnel, but I'm also driving, you know, a lot of other
17 stuff. And I rely on her -- We always bounce financials
18 off of each other, simply -- it's a good thing.

19 COMMISSIONER JOE DAVIS III: Checks and
20 balances. Sure.

21 MR. RON CINK: You know, it's always a good
22 thing.

23 COMMISSIONER JOE DAVIS III: Sure.

24 COMMISSIONER BILLIE JO UNDERWOOD: I -- I have
25 a problem with the organizational chart that Baldwin
26 County has with having nine people -- And that was back
27 to the conversation we had before. So --

28 COMMISSIONER JAMES E. (JEB) BALL: But that --

1 what we're --

2 COMMISSIONER BILLIE JO UNDERWOOD: That's not
3 what we're discussing right now, but I think it comes
4 into play when we're trying to make these decisions.

5 And so I don't -- I could see a role -- an
6 Administrator's role becoming much more than it is now if
7 we changed some of the positions.

8 I could see where an Administrator's role would
9 become -- where we may not have but just two or three
10 appointed people. And then that chart would really
11 expand under the Administrator in the future.

12 So it's kind of hard for me to get a grasp on,
13 because I'm not thinking that what we're doing right now
14 is going to be for the next total four years, but it may
15 be.

16 COMMISSIONER JOE DAVIS III: Well, I guess what
17 I'm thinking about, this is the CFO; that's the COO in
18 terms of the operation.

19 MR. RON CINK: CEO, COO.

20 COMMISSIONER JOE DAVIS III: COO, yeah.

21 MR. RON CINK: Is what --

22 COMMISSIONER JOE DAVIS III: And you're --

23 MR. RON CINK: Our conversation is what -- CEO,
24 CFO, COO.

25 COMMISSIONER BILLIE JO UNDERWOOD: And --

26 COMMISSIONER JOE DAVIS III: Because if we need
27 to separate the two slots out -- And I personally think
28 we do for his sake and for our sake.

1 It doesn't mean it's broken. We've just got so much
2 going on and things that we don't even realize will be
3 going on right on top of us.

4 COMMISSIONER BILLIE JO UNDERWOOD: Well, if we
5 want to separate that now and make him Interim, and then
6 do the same thing we are with the other Interims -- I
7 don't know.

8 COMMISSIONER JOE DAVIS III: Well, I guess what
9 I would --

10 COMMISSIONER BILLIE JO UNDERWOOD: We have to
11 have somebody in the position.

12 COMMISSIONER JOE DAVIS III: Oh, sure. Sure.
13 But in order to get the productivity out of two of him,
14 we can't just keep asking him to do two jobs, in my
15 opinion. And do we need an Assistant, or do we need a
16 Budget Director?

17 COMMISSIONER BILLIE JO UNDERWOOD: Well, now,
18 in all reality, there is someone that was hired to help
19 with budgeting over the last four years. So I don't
20 think it's actually doing to complete job under the
21 current structure; is that correct?

22 MR. RON CINK: You're talking Christie?

23 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

24 MR. RON CINK: She -- She's Budget Accountant,
25 yes.

26 COMMISSIONER BILLIE JO UNDERWOOD: But was she
27 there before?

28 MR. RON CINK: No. The first -- the first two

1 years --

2 COMMISSIONER BILLIE JO UNDERWOOD: So when you
3 were just Budget Director, you had --

4 MR. RON CINK: Had --

5 COMMISSIONER BILLIE JO UNDERWOOD: So would we
6 keep -- If this position was separated, does that -- is
7 that a position that would be de-funded, not -- not
8 Budget Director but the -- whatever.

9 MR. RON CINK: Budget Accountant.

10 COMMISSIONER BILLIE JO UNDERWOOD: Right.

11 Whatever --

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 Now you're getting into the merit folks now.

14 COMMISSIONER JOE DAVIS III: Yeah.

15 COMMISSIONER BILLIE JO UNDERWOOD: Oh, okay.
16 Well, I was just trying to -- I'm trying to understand
17 the compensation. So, well, I think that maybe we --
18 we've got some stuff thrown out there. Do we -- we're
19 just a workshop today.

20 COMMISSIONER JAMES E. (JEB) BALL: Well, the
21 next place this goes is next Tuesday under the lights.

22 COMMISSIONER BILLIE JO UNDERWOOD: Yep. I'm
23 fine with that.

24 COMMISSIONER JAMES E. (JEB) BALL: I am, too.

25 COMMISSIONER JOE DAVIS III: But I'm also going
26 to push for the separation of the Director, Budget
27 Director and the -- the two jobs. I think it's --
28 we're -- it's necessary for us to separate those two for

1 future work.

2 COMMISSIONER JAMES E. (JEB) BALL: And that --

3 COMMISSIONER BILLIE JO UNDERWOOD: Well, I
4 think I'm just going to resay what I said a few minutes
5 ago. I can see in the future that this position would
6 expand as Administrator. But I don't see where Budget
7 Director is that expansive under our current
8 organizational chart. I actually don't think it should
9 be an appointed position, but --

10 COMMISSIONER JAMES E. (JEB) BALL: One of these
11 days it may not be. It may go back to merit.

12 COMMISSIONER BILLIE JO UNDERWOOD: But, for
13 now, we have to make the decision.

14 COMMISSIONER JAMES E. (JEB) BALL: That's
15 right.

16 COMMISSIONER BILLIE JO UNDERWOOD: So we have
17 some options. And something I think we need to think
18 about, we have an option of staying the way we are. We
19 have an option of separating the two. We have an option
20 of where in the meantime keeping the two together; one as
21 Interim, one as a Director. And that's about it.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 Yep.

24 COMMISSIONER BILLIE JO UNDERWOOD: I think
25 that --

26 COMMISSIONER JAMES E. (JEB) BALL: Let me ask
27 this: So for -- for the sake of Joe and me, how is the
28 item going to be presented on the agenda next Tuesday

1 when comes to Mr. Cink, is all I want to know.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 I guess according to this, going by this that we
4 presented, Ron would be hired at --

5 COMMISSIONER BILLIE JO UNDERWOOD: Well, we
6 haven't found a number on --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

8 Well, you've got to break it up. You've got -- because
9 it's a -- it's -- it's both. Because you've got both up
10 there.

11 It's two and two, you know what I mean, decisions.
12 But then when it comes to the thing, it'll have to be
13 voted on, well, I want to do this, or I want to do that.

14 You know, and you present it to get that -- I
15 don't -- however the money, you know -- if it's one
16 twenty-two (\$122,000) or one twenty-four (\$124,000),
17 what -- whatever that is as an Administrator and Budget
18 or just strictly Budget, you know.

19 COMMISSIONER BILLIE JO UNDERWOOD: Well, David
20 recommend an Interim.

21 ATTORNEY DAVID CONNER: It sounds like we're
22 trying to get -- we're trying to get three votes here, I
23 think --

24 COMMISSIONER JOE DAVIS III: We have to get
25 three votes.

26 ATTORNEY DAVID CONNER: I think if -- I think
27 what I'm seeing on the board, unless y'all tell me
28 different, is that everybody has agreed to -- to -- that

1 Ron should keep the position of Budget Director. I see
2 B's across the board.

3 COMMISSIONER JAMES E. (JEB) BALL: That's
4 right.

5 ATTORNEY DAVID CONNER: And y'all have all
6 agreed that that salary would be there. And then the
7 question is whether or not he remains the County
8 Administrator or not.

9 So in order to move this along, I -- I think the
10 option is, at this point in time, to have his contract be
11 Budget Director, but then name him as Interim County
12 Administrator to fulfill those duties, if he agrees to do
13 that.

14 MR. RON CINK: Yeah.

15 ATTORNEY DAVID CONNER: And then that gives
16 y'all time to think more about whether or not you want to
17 combine the positions, what it looks like, whether or not
18 you want to hire somebody from the outside, and have
19 those discussions. And it preserves to you-all that
20 argument as well.

21 But, now, if y'all want to have it resolved
22 completely before you vote, Commissioner Davis or
23 Commissioner Ball, then -- then y'all have got to get
24 there. Y'all have got to keep talking and work through
25 it.

26 Because what I understood in respect to both of
27 you-all is that y'all weren't going to resolve -- you
28 weren't going to vote for the contracts --

1 COMMISSIONER JAMES E. (JEB) BALL: No.

2 ATTORNEY DAVID CONNER: -- until there was a
3 path figured out as to what to do.

4 COMMISSIONER JOE DAVIS III: That we have a
5 plan --

6 ATTORNEY DAVID CONNER: That's right.

7 COMMISSIONER JOE DAVIS III: -- for how to
8 address this.

9 ATTORNEY DAVID CONNER: So --

10 COMMISSIONER JOE DAVIS III: That's my
11 position.

12 ATTORNEY DAVID CONNER: So the question is,
13 does -- does appointing him as Budget Director and
14 Interim County Administrator satisfy y'all objectives on
15 that, or do y'all just need to go ahead and continue
16 to --

17 COMMISSIONER JAMES E. (JEB) BALL: If there --

18 ATTORNEY DAVID CONNER: -- bang this out?

19 COMMISSIONER JAMES E. (JEB) BALL: If there is
20 a plan to fill the Interim Administrator's spot with a
21 full-time County Administrator --

22 COMMISSIONER JOE DAVIS III: That's right.

23 COMMISSIONER JAMES E. (JEB) BALL: -- and there
24 would have to be a plan for that. We couldn't remain
25 Interim County Administrator, morph back into the two in
26 one. That's what happened last time. And that's what we
27 don't want to happen this time.

28 COMMISSIONER BILLIE JO UNDERWOOD: Okay. Well,

1 then -- then that would be -- even though neither one of
2 these positions are merit, like the two other Interims
3 that are there, this would still give us an opportunity
4 to -- to do interviews for Administrator?

5 COMMISSIONER JAMES E. (JEB) BALL: Right.

6 COMMISSIONER JOE DAVIS III: Right.

7 COMMISSIONER BILLIE JO UNDERWOOD: And if he
8 wanted to apply for that, just like Jessie and --

9 COMMISSIONER JOE DAVIS III: That's what I'm
10 saying.

11 COMMISSIONER BILLIE JO UNDERWOOD: -- Deidra
12 wanted to apply, then it would -- it would still come
13 back. But that was -- Would that satisfy, for the
14 meantime, a plan?

15 COMMISSIONER JOE DAVIS III: I think it would,
16 because I would hope Ron would consider applying for the
17 Administrator slot. He would not have to give up being
18 the Budget Director in order to apply. But he would have
19 the --

20 COMMISSIONER BILLIE JO UNDERWOOD: If he --

21 COMMISSIONER JOE DAVIS III: -- Budget
22 Director's slot --

23 COMMISSIONER BILLIE JO UNDERWOOD: -- selected
24 as Administrator --

25 COMMISSIONER JOE DAVIS III: -- in hand.

26 COMMISSIONER BILLIE JO UNDERWOOD: -- then he
27 would have to give up Budget Director or --

28 COMMISSIONER JOE DAVIS III: That's right.

1 COMMISSIONER BILLIE JO UNDERWOOD: -- if he
2 wasn't selected as Administrator, he's still got -- he's
3 already the Budget Director --

4 COMMISSIONER JOE DAVIS III: That's right.

5 COMMISSIONER BILLIE JO UNDERWOOD: -- if he
6 accepts the contract.

7 COMMISSIONER JOE DAVIS III: That's right.

8 ATTORNEY DAVID CONNER: Well, I think --

9 MR. RON CINK: I think --

10 COMMISSIONER BILLIE JO UNDERWOOD: Because you
11 said a contract --

12 ATTORNEY DAVID CONNER: I think the contract --

13 COMMISSIONER BILLIE JO UNDERWOOD: -- with
14 Budget Director and Administrator --

15 ATTORNEY DAVID CONNER: I think the contract
16 would just say Budget Director. And then by a separate
17 resolution, y'all would appoint him as Acting --

18 COMMISSIONER BILLIE JO UNDERWOOD: Interim.

19 ATTORNEY DAVID CONNER: -- Administrator.

20 COMMISSIONER JAMES E. (JEB) BALL: We've asked
21 everybody. I want to ask Ron what he really wants to do.

22 And don't say, it's fine with me, whatever.

23 COMMISSIONER JOE DAVIS III: That's the
24 political answer.

25 COMMISSIONER JAMES E. (JEB) BALL: Speak from
26 the heart, Ron. I mean, to me, I mean, it's like -- if I
27 was sitting in Ron's shoes and -- and I was getting
28 ninety percent (90%) of the responsibilities taken off

1 for me for a raise, I mean, I'd be like, yeah, I'll be
2 y'all's Budget Director.

3 That's not me speaking for Ron. But I want Ron to
4 tell me what he -- what he wants.

5 MS. KIM CREECH: I'll be the Budget Director
6 for that.

7 MR. RON CINK: I'm going to go back to what I
8 said all the way around; okay? I've always loved my
9 numbers. I've always felt very comfortable with my
10 numbers; okay? When the Commission needed me to step up,
11 I felt like I stepped up.

12 COMMISSIONER JAMES E. (JEB) BALL: Right.

13 MR. RON CINK: I like the Administrator's job
14 as well. Hang on a minute. I'm fixing to caveat this a
15 lot.

16 COMMISSIONER JOE DAVIS III: Unlike caviar,
17 but --

18 MR. RON CINK: I have -- I have wonderful
19 people. I've structured it accordingly. It works fairly
20 smooth; okay? But every single Tuesday is a belly full
21 of acid for me; okay? And that can go on the record.
22 Because it is a belly full of acid.

23 Because with the Administrator's job, no matter who
24 you choose, whether I decide to apply or not apply or
25 whatever the case may be, the job is always fraught with,
26 you know, have I done the best I can do to protect y'all?
27 Have I done the best job and provided the information to
28 you in a concise manner that you can make decisions;

1 okay? Did I give you all the options? Did I make the
2 right recommendations, the wrong recommendations?

3 There's always -- there's always -- I don't know how
4 many times I've woke up in the middle of night or not
5 gone to sleep going, you know, am I exposing them to a
6 violation of law; okay?

7 And Cliff will tell you, I'm not a lawyer; okay? I
8 quoted that in an article way back. So that's always a
9 weakness. Now, I can -- I can deal with my numbers.

10 COMMISSIONER JOE DAVIS III: You're not going
11 to law school in your spare time?

12 MR. RON CINK: No, sir. No, sir.

13 COMMISSIONER JOE DAVIS III: Just checking.

14 MR. RON CINK: I mean --

15 COMMISSIONER JOE DAVIS III: Okay.

16 MR. RON CINK: -- I like the Administrator job,
17 taking on -- you know, I took on the Planning and Zoning,
18 you know, an extra department. I think we've done a
19 very, very good job with the animal shelter, which was
20 an --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 Damn good job.

23 MR. RON CINK: -- absolute difficult --

24 COMMISSIONER JOE DAVIS III: A mess.

25 MR. RON CINK: -- situation, okay, all the way
26 around. You know, I've -- I've -- I've got -- Well, you
27 saw everything I wrote. I put some challenges that are
28 going forward on there.

1 COMMISSIONER JAMES E. (JEB) BALL: So do you
2 think this person that you have in mind that you were
3 going to use for an Assistant County Administrator would
4 be able to fulfill the role of what you're describing for
5 us?

6 MR. RON CINK: Yes.

7 COMMISSIONER JAMES E. (JEB) BALL: Okay.

8 MR. RON CINK: And let me go back a little bit,
9 step a little bit back on that. First of all, I like the
10 educational background. I like the law; okay? And I
11 also -- And -- and I'm fifty-nine (59) years old; okay?

12 I would love -- If my brain will stay sharp, I will
13 work to seventy (70). I would love to. But I would like
14 to -- I really, you know -- once I hit mid-sixties
15 (mid-60's), you know, I want to step back a little bit.

16 I don't care. Take a cut in pay. I don't care,
17 okay, and go -- you know, use my expertise for -- not
18 other things, but use my expertise in the County to help
19 out, you know, if Joey needs -- if Highway -- Joey in
20 Highway needed help or Kim's working on a warrant or --
21 And sooner or later, we're going to have to change
22 computer system; okay?

23 I would love to dig into -- dig into that, you know,
24 or what Terri's doing, those kind of things. I'm just
25 speaking from the heart.

26 COMMISSIONER JAMES E. (JEB) BALL: I know that.

27 MR. RON CINK: I, you know -- I'm not -- I
28 don't want to be the end-all/do-all. It's a belly full

1 of acid. I'll tell you --

2 COMMISSIONER JOE DAVIS III: No question.

3 MR. RON CINK: -- all the way around. Because
4 I've -- there's -- I'm always scared. I was absolutely
5 terrified of messing something up; okay?

6 And there's stuff that I mess up. Sometimes I
7 manage to get it corrected before y'all catch me at it.
8 But the other side of the coin is I'm always scared of
9 getting y'all into a dilemma situation and that it looks
10 bad upon the County and upon y'all.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 Well, you know, I will say, you know, that everything Ron
13 has ever -- has been asked to do, he has stepped
14 forward and he has put a hundred and ninety-nine percent
15 (199%) into it.

16 You take the animal shelter. When that came upon
17 us, Ron stood up -- stood it up. And within a short time
18 with working with some other folks within the county, he
19 was able to set up a very well-run animal shelter.

20 MR. RON CINK: A lot more --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 It's run better -- it's run better than it ever has in
23 the past. And the people will probably contradict that.
24 But knowing what I know and seeing what I've seen, you
25 know, throughout the years, you know -- I'm not just
26 going by twelve (12) years. I'm talking about my thirty
27 (30) years, because I worked at the landfill for several
28 years.

1 COMMISSIONER JOE DAVIS III: Sure.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 And I seen what happened at the animal shelter. I know
4 what this man has done. And, I mean, and it's just, you
5 know -- it's just, you know -- he has -- he's got that
6 talent. And he's never bucked back and said it.

7 Me, as the Chairman, bringing in a new Administrator
8 right now is going to be zoo. It's going to be hell.

9 MR. RON CINK: Commissioner Ball, if I could
10 interject one more thing. Again, if -- if we go to the
11 Assistant route or whichever way you guys want to go,
12 okay, it takes time to -- to -- to do this job. It takes
13 time to learn who the players are, who -- who's on first,
14 who to contact for various things.

15 And, you know, if it's a -- if it's a new
16 Administrator, they're going to have to learn that. If
17 it's -- if it's an Assistant Administrator, they're going
18 to have to learn that.

19 And the reason I was able to step up to the
20 Administrator was because of the budget and all the
21 relationships that I had built with the other elected
22 officials, the Sheriff, the Revenue Commissioner, and
23 Probate Judge, you know, the District Attorney, you know,
24 State officials, the various judges, you know, folks in
25 the courthouse, all that stuff, well, I mean, even your
26 City Administrators.

27 Ken Grimes and I talk. Mike Thompson and I talk.

28 Steve in Gulf Shores and I talk on occasion. You know, I

1 reach out to Lisa Hanks in Fairhope. These are the
2 things that nobody sees that goes on, but yet we're -- we
3 do.

4 So, I mean, it's just -- it's going to take some
5 time. It's not a job -- you don't sit in there and pull
6 a switch. So, I mean, whatever y'all want to do, I'm
7 happy either which way.

8 COMMISSIONER BILLIE JO UNDERWOOD: I'll make a
9 statement, that if -- if we stayed with Ron as
10 Administrator and Budget Director, that we explore an
11 Assistant. But if -- I do feel like that an Assistant
12 would help with -- especially if it's someone with
13 legal -- I think that attorney was interested in this
14 spot, or you're interested in --

15 MR. RON CINK: I'm interested --

16 COMMISSIONER BILLIE JO UNDERWOOD: You're
17 interested in an attorney.

18 MR. RON CINK: -- in the attorney. And --
19 and -- and -- and that's not -- that's not a reflection
20 on David.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 No, it's not.

23 COMMISSIONER BILLIE JO UNDERWOOD: That's
24 just --

25 MR. RON CINK: Okay?

26 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
27 No.

28 COMMISSIONER BILLIE JO UNDERWOOD: Just for

1 simple things like contracts and things like that, not
2 saying that's simple, but it's not a rendering an opinion
3 kind of a thing.

4 MR. RON CINK: I look at things from one
5 viewpoint. The polished legal eye looks at it from
6 another viewpoint; okay?

7 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

8 MR. RON CINK: I'd like that polished legal
9 eye, because I'm -- I'm not good at it; okay?

10 COMMISSIONER BILLIE JO UNDERWOOD: It's not
11 your profession.

12 MR. RON CINK: That's correct.

13 COMMISSIONER BILLIE JO UNDERWOOD: It's not my
14 profession.

15 MR. RON CINK: So, I mean --

16 COMMISSIONER BILLIE JO UNDERWOOD: I don't see
17 where Budget Director warrants the hundred and twenty
18 (\$120,000) something thousand dollar salary on its on.

19 COMMISSIONER JAMES E. (JEB) BALL: Right.

20 So --

21 COMMISSIONER BILLIE JO UNDERWOOD: I don't.

22 COMMISSIONER JAMES E. (JEB) BALL: -- where do
23 we go from here, Mr. Conner? If we do not want this on
24 next week's meeting, we pull it from the agenda today;
25 right?

26 COMMISSIONER BILLIE JO UNDERWOOD: We stay like
27 we are with Ron --

28 COMMISSIONER JAMES E. (JEB) BALL: No,

1 that's --

2 COMMISSIONER BILLIE JO UNDERWOOD: -- for now.

3 COMMISSIONER JAMES E. (JEB) BALL: -- not true.

4 COMMISSIONER BILLIE JO UNDERWOOD: Because

5 we're --

6 COMMISSIONER JAMES E. (JEB) BALL: That's not
7 true. I'm just saying we're not even going to a vote
8 with it. We'll spend some more time discussing it. We
9 just pull it off the workshop agenda.

10 ATTORNEY DAVID CONNER: Well, it only goes on
11 the agenda if you guys agree to place it on there --

12 COMMISSIONER JAMES E. (JEB) BALL: Right.

13 ATTORNEY DAVID CONNER: -- for voting purposes,
14 or the Chairman puts it on. So if y'all are not ready to
15 resolve it today, then -- then it would not -- should not
16 go on the -- on the agenda, I wouldn't think, because it
17 would end up --

18 COMMISSIONER BILLIE JO UNDERWOOD: It doesn't
19 sound like --

20 ATTORNEY DAVID CONNER: Sounds like you're not
21 going to do any action. So it sounds like you need to
22 either try to resolve that today or take another work
23 session after y'all have had a chance to think about it.

24 COMMISSIONER BILLIE JO UNDERWOOD: When I said
25 stay like we are, I meant we're still in that ninety (90)
26 day frame, or --

27 COMMISSIONER JAMES E. (JEB) BALL: I'm not --

28 COMMISSIONER BILLIE JO UNDERWOOD: -- we could

1 let it roll --

2 COMMISSIONER JAMES E. (JEB) BALL: I'm not
3 worried about the ninety (90) days. We could go a
4 hundred and eighty (180) days, a year. The ninety (90)
5 days does not affect my decisionmaking skills. It used
6 to, not anymore. Because I -- I found out it was just
7 one month. So it's -- it's -- And unless they --

8 COMMISSIONER BILLIE JO UNDERWOOD: Well --

9 COMMISSIONER JAMES E. (JEB) BALL: -- the other
10 part doesn't matter.

11 COMMISSIONER BILLIE JO UNDERWOOD: -- when I
12 said remain the same, it meant that the old contract
13 would rollover into place; right? It just continues?

14 ATTORNEY DAVID CONNER: Unless -- unless
15 y'all --

16 COMMISSIONER BILLIE JO UNDERWOOD: That's
17 what --

18 ATTORNEY DAVID CONNER: -- take action --

19 COMMISSIONER BILLIE JO UNDERWOOD: -- meant
20 by --

21 ATTORNEY DAVID CONNER: -- by three-fourth's --

22 COMMISSIONER BILLIE JO UNDERWOOD: -- that.

23 ATTORNEY DAVID CONNER: -- vote --

24 COMMISSIONER BILLIE JO UNDERWOOD: That's what
25 I meant by that.

26 ATTORNEY DAVID CONNER: -- everything stays
27 like it is.

28 COMMISSIONER BILLIE JO UNDERWOOD: And we still

1 have the opportunity -- Right now, during the ninety (90)
2 days, there's just no consequence. And the consequence
3 is the severance pay.

4 COMMISSIONER JAMES E. (JEB) BALL: Right.

5 COMMISSIONER BILLIE JO UNDERWOOD: Okay. Is
6 that right?

7 ATTORNEY DAVID CONNER: Yes.

8 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

9 COMMISSIONER JOE DAVIS III: So our plan to
10 deal with the question of Budget Director and
11 Administrator is what?

12 COMMISSIONER JAMES E. (JEB) BALL: We have no
13 plan.

14 COMMISSIONER JOE DAVIS III: That's what I was
15 afraid of.

16 COMMISSIONER JAMES E. (JEB) BALL: I won't vote
17 on a single contract.

18 COMMISSIONER JOE DAVIS III: I won't, either.
19 So all those numbers that we put up there, it appears --

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 Well, you know, y'all --

22 COMMISSIONER JOE DAVIS III: -- to be two to
23 two.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 Y'all are playing politics right now.

26 COMMISSIONER JOE DAVIS III: Sure. That's --

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 Both of you --

1 COMMISSIONER JOE DAVIS III: -- fine.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 -- are playing --

4 COMMISSIONER JOE DAVIS III: That's fine.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

6 -- politics.

7 COMMISSIONER JOE DAVIS III: And you make sure

8 that thing is loaded when you point it at me.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

10 I'm just saying --

11 COMMISSIONER JOE DAVIS III: You're gesturing.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

13 -- I going like this.

14 COMMISSIONER JOE DAVIS III: You're gesturing.

15 Why don't you just talk?

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

17 Okay.

18 COMMISSIONER JOE DAVIS III: Fine.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

20 Both of y'all are playing politics right now.

21 COMMISSIONER JOE DAVIS III: That's your

22 opinion.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

24 No, it is not. It's -- because you're saying if he

25 doesn't do it, I'm not going to do it. Both of you are

26 saying --

27 COMMISSIONER JOE DAVIS III: I said --

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 -- I'm not --

2 COMMISSIONER JOE DAVIS III: -- if we don't --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

4 -- going to vote --

5 COMMISSIONER JOE DAVIS III: -- have a plan.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

7 I'm got to vote --

8 COMMISSIONER JOE DAVIS III: If we don't have a
9 plan.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

11 You said you was not going to vote for this --

12 COMMISSIONER JOE DAVIS III: Have to --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

14 -- for that --

15 COMMISSIONER JOE DAVIS III: -- have a plan.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

17 -- if that was not -- if it did not come before the
18 thing.

19 COMMISSIONER JOE DAVIS III: That's exactly
20 right. I'm very consistent with that. And I don't
21 point, and I don't raise my voice, just --

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 You are raising your voice.

24 COMMISSIONER JAMES E. (JEB) BALL: We tried to
25 work on a -- we said we were going to work on a plan and
26 that we would go through with how we were going to do
27 this based on if we felt good with the plan. Am I right?

28 ATTORNEY DAVID CONNER: Yeah, your work --

1 COMMISSIONER JAMES E. (JEB) BALL: That's what
2 I said all along.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 If it's not your way, you're not going to go along with
5 it.

6 COMMISSIONER JOE DAVIS III: That's --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 Oh, no, it is, because --

9 COMMISSIONER JOE DAVIS III: -- right.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 Because that's what you're saying right now.

12 COMMISSIONER JOE DAVIS III: Well, it --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 If it's not right, you're not going to go your way.

15 COMMISSIONER JAMES E. (JEB) BALL: Well, that
16 could also be spun back on you feeling --

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 It could.

19 COMMISSIONER JAMES E. (JEB) BALL: -- the same
20 way.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 It could.

23 COMMISSIONER JAMES E. (JEB) BALL: You're --
24 you're sounding like you want it your way, too.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 I know -- I know what's -- I know what this County has
27 been -- what's been going on with this County. And I
28 know what these employees have done. Don't think --

1 COMMISSIONER JOE DAVIS III: There's no
2 question --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 -- that they don't have --

5 COMMISSIONER JOE DAVIS III: There's no
6 question that --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
8 Y'all think that they don't have --

9 COMMISSIONER JOE DAVIS III: -- you're their
10 advocate. There's --

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 -- the ability to do it.

13 COMMISSIONER JOE DAVIS III: There's no
14 question that --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 No.

17 COMMISSIONER JOE DAVIS III: -- you're their
18 advocate. Don't assume that we're against them.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Well --

21 COMMISSIONER JOE DAVIS III: We have a
22 responsibility --

23 COMMISSIONER JAMES E. (JEB) BALL: I keep --

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 I could say something, but I'm not going to.

26 COMMISSIONER JOE DAVIS III: Oh, please do.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 No, I'm not. No, I'm not. Because it was said in -- in

1 a confidential meeting with -- with us. So --

2 ATTORNEY DAVID CONNER: Mr. --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

4 -- I'm not going -- I'm not going to go any further.

5 COMMISSIONER JOE DAVIS III: I don't know what
6 that means.

7 ATTORNEY DAVID CONNER: What I --

8 COMMISSIONER JOE DAVIS III: Where do --

9 ATTORNEY DAVID CONNER: -- was going to --

10 COMMISSIONER JOE DAVIS III: -- we go from
11 here?

12 ATTORNEY DAVID CONNER: What I'm going to say
13 to you is your work today is not in vain. Y'all --
14 assuming y'all can agree upon what to do with Ron, y'all
15 have all the numbers. You have all the contracts.

16 And all of the department heads, with the exception
17 of Mike -- I don't know where he's exactly at on that.
18 But they've all agreed to it. So you haven't wasted your
19 time today.

20 You've just got to finish the next piece of the
21 puzzle. So the question is do y'all want to continue to
22 talk about it today? Do you want to bring it back to
23 another work session and talk about it after you've had a
24 chance to think?

25 COMMISSIONER JAMES E. (JEB) BALL: Here's
26 what we -- we decided, that we would get a consensus.
27 And that's what we've done.

28 COMMISSIONER JOE DAVIS III: Of numbers.

1 COMMISSIONER JAMES E. (JEB) BALL: And that --
2 and that -- I didn't feel comfortable moving forward with
3 voting on all the contracts until we got --

4 COMMISSIONER JOE DAVIS III: All the contracts.

5 COMMISSIONER JAMES E. (JEB) BALL -- this one
6 done up how we, you know -- either Budget Director or
7 Administrator, one or the other. So I don't -- that's --
8 that's just where I'm leaving it. So we got the
9 consensus.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 Well, y'all -- we can -- we can go forward with what
12 y'all want. But when comes time to vote, I will do mine.
13 I will do my thing when it comes time to vote for it.

14 COMMISSIONER JOE DAVIS III: And that's what
15 we're talking about doing, Mr. Chairman.

16 COMMISSIONER JAMES E. (JEB) BALL: What does
17 that mean? What does that mean?

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 I'll vote the way I want to vote.

20 COMMISSIONER JOE DAVIS III: That's what we're
21 going to do.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
23 If it's me against it, that's fine.

24 COMMISSIONER JOE DAVIS III: It -- it's --

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 It's not the first time this -- this crap has been --
27 I've had to deal with this.

28 COMMISSIONER JOE DAVIS III: Oh, crap.

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
2 No, it's not -- It is crap.

3 COMMISSIONER JOE DAVIS III: Okay. You got it
4 loaded again.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
6 It is crap. Commissioner Davis --

7 COMMISSIONER JOE DAVIS III: You're pointing
8 that finger --

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 Commissioner Davis --

11 COMMISSIONER JOE DAVIS III: -- at me.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 -- it is --

14 COMMISSIONER JOE DAVIS III: That's your --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
16 -- crap.

17 COMMISSIONER JOE DAVIS III: That's your
18 opinion.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Well, no it's not. It's fact.

21 COMMISSIONER JOE DAVIS III: That's fine.
22 Nothing like --

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 So we --

25 COMMISSIONER JOE DAVIS III: -- having great
26 leadership.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 -- will go forward with the agenda as proposed by these

1 two gentlemen. And if you want to go forward, we'll --
2 we'll go forward, but I will --

3 COMMISSIONER JAMES E. (JEB) BALL: This --
4 this -- this agenda was not proposed by me and
5 Commissioner Davis. This agenda was proposed by --

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 This part of it was. But the other part was y'all --
8 y'all -- y'all -- that was y'all's part. The bottom one
9 with Ron is y'all's part. Everything else can be
10 presented. And y'all -- we can present Ron's, you know,
11 and --

12 COMMISSIONER JAMES E. (JEB) BALL: There is no
13 "y'all." It's "we."

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 No. No it's not a "we" because y'all don't want to
16 listen to what I have to say. You keep asking -- I asked
17 what's broke? What needs to be fixed? And not the first
18 time has anyone said what's the problem. What is --

19 COMMISSIONER JOE DAVIS III: Can we get --

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 -- the problem?

22 COMMISSIONER JOE DAVIS III: If you'd like an
23 answer --

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 Yeah.

26 COMMISSIONER JOE DAVIS III: -- let me share.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 I've been asking you that --

1 COMMISSIONER JOE DAVIS III: Okay.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 -- for months.

4 COMMISSIONER JOE DAVIS III: Okay. And I've
5 been telling you --

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

7 No, you have not.

8 COMMISSIONER JOE DAVIS III: -- the same thing,
9 and I'm going to --

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

11 I've got a plan. I want a plan. I --

12 COMMISSIONER JOE DAVIS III: Would you --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

14 -- want a plan.

15 COMMISSIONER JOE DAVIS III: -- let me answer?

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

17 I want a plan.

18 COMMISSIONER JOE DAVIS III: Would you let me
19 answer? There are two jobs listed in our requirements
20 that we have one person doing. He is a great person. He
21 does both of those jobs as well as one person can do two
22 jobs. But we're in a growing county that has more and
23 more things coming up. And it's unnecessary for us to
24 put one guy in a position --

25

26 (Commissioner Billie Jo Underwood left the Baldwin County
27 Commission Work Session.)

28

1 COMMISSIONER JOE DAVIS III: -- to wear two
2 hats. And that's been my position from the get-go. And
3 I won't point at you, but that's the truth, too. And I'm
4 going to vote my conscience and what the --

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
6 Well, that's --

7 COMMISSIONER JOE DAVIS III: -- people that put
8 me in office expected --

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 I had people --

11 COMMISSIONER JOE DAVIS III: -- me to do.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 I had people put me in office, too.

14 COMMISSIONER JOE DAVIS III: Very good. Well,
15 we'll find out.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 So, but anyway. So this will be put on -- added to the
18 agenda then --

19 COMMISSIONER JOE DAVIS III: And what --

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 -- as presented.

22 COMMISSIONER JOE DAVIS III: -- will the agenda
23 say about --

24 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
25 As presented.

26 COMMISSIONER JOE DAVIS III: -- the last item?

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 Just like it says right there.

1 COMMISSIONER JOE DAVIS III: Which is what?

2 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

3 Which is --

4 COMMISSIONER JAMES E. (JEB) BALL: We just

5 got --

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

7 -- these numbers for budget and A and B.

8 ATTORNEY DAVID CONNER: Commissioner Underwood
9 stepped to the restroom. We may need to wait for her to
10 come back so y'all can get to a number and see where we
11 are exactly.

12 COMMISSIONER JAMES E. (JEB) BALL: Can I ask
13 you this, Mr. Conner?

14 ATTORNEY DAVID CONNER: Yes, sir.

15 COMMISSIONER JAMES E. (JEB) BALL: Based on the
16 way the contract reads, when we go to a vote, how will
17 they read? Would it just read like in the order that
18 it's printed out in the law, that we vote on each one
19 like that?

20 ATTORNEY DAVID CONNER: Or you can take them --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
22 Yes.

23 ATTORNEY DAVID CONNER: -- in whatever order
24 y'all decide to take them, or without -- without an
25 agreement between you-all, whatever order the Chairman
26 brings them in the agenda.

27 MR. JOEY NUNNALLY: So each one will be its own
28 separate agenda?

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
2 Yeah. Oh, yeah. Yeah. It has to be a separate agenda,
3 because they're different contracts. Every contract is
4 different.

5 COMMISSIONER JOE DAVIS III: But the contracts
6 will only show the number on the right, not the 1, 2, 3,
7 4?

8 COMMISSIONER JAMES E. (JEB) BALL: Right.

9 COMMISSIONER JOE DAVIS III: That's my
10 understanding. But, hey, I'm new.

11 MR. CLIFF McCOLLUM: No. I'll show 1, 2, 3, 4.

12 COMMISSIONER JOE DAVIS III: So do we need to
13 put a number by Mr. Cink's name at the end?

14 COMMISSIONER JAMES E. (JEB) BALL: Got to wait
15 for --

16 COMMISSIONER JOE DAVIS III: Billie Jo to come
17 back.

18 COMMISSIONER JAMES E. (JEB) BALL: Yeah.

19 COMMISSIONER JOE DAVIS III: My bad.

20 ATTORNEY DAVID CONNER: Wait until Commissioner
21 Underwood gets back.

22 MR. RON CINK: Yeah.

23 MR. CLIFF McCOLLUM: Well, you can all take
24 heart you make way more than I do.

25 COMMISSIONER JAMES E. (JEB) BALL: What?

26 MR. CLIFF McCOLLUM: You can all take to heart
27 that you make way more than I do.

28 (Commissioner Billie Jo Underwood rejoined the Baldwin County

1 Commission Work Session.)

2

3 COMMISSIONER BILLIE JO UNDERWOOD: I'm sorry.
4 I didn't get to go at lunch.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
6 Billie Jo, what we need is a number for Ron on the -- on
7 the far right. We've got to have a number there.

8 COMMISSIONER BILLIE JO UNDERWOOD: One
9 twenty-one, five (\$121,500). One twenty-one, five
10 (\$121,500). I don't know if y'all had already agreed on
11 a number before I got back in here.

12 COMMISSIONER JAMES E. (JEB) BALL: We're
13 waiting on you.

14 COMMISSIONER BILLIE JO UNDERWOOD: Okay. One
15 twenty-one, five (\$121,500).

16 COMMISSIONER JOE DAVIS III: I'll go along with
17 that as Budget Director.

18 COMMISSIONER BILLIE JO UNDERWOOD: Oh, well,
19 mine is Budget and Administrator at this time.

20 ATTORNEY DAVID CONNER: If I can help. Here's
21 what I think. If you can get there today, you need to
22 get there. If you can't, you need to think about it and
23 come back.

24 It's sounds like everybody in the room is okay with
25 Ron being Budget Director, including you --

26 MR. RON CINK: Uh-huh. (Indicates
27 affirmatively.)

28 ATTORNEY DAVID CONNER: -- from your

1 statement --

2 MR. RON CINK: Uh-huh. (Indicates
3 affirmatively.)

4 ATTORNEY DAVID CONNER: -- you made to the
5 group. Well, the division becomes is the extent to which
6 he acts in both capacities and whether or not if the
7 County Commission [sic] position was advertised, allowing
8 him the opportunity to apply for that position, if he so
9 felt.

10 The only thing -- the only thing I have concern --
11 and, again, I want to make sure everybody understands --
12 is if you were to do an interim position, if that's what
13 y'all decide you want to do, I would think there would
14 need to be a timeframe on the interim position, because
15 of the fact even those he's appointed as Interim, we
16 don't want to run into a question that it takes
17 three-fourth's of a vote to stop that Interim capacity.

18 Because we're a two-to-two right now. And if we get
19 to a three on something, I don't know that we'd get back
20 there again on the Interim position. So if you did an
21 Interim, I would think it would need to have a term. The
22 term could always be extended, you know.

23 MR. RON CINK: Yeah.

24 ATTORNEY DAVID CONNER: But -- but that's one
25 option. But I would definitely think you'd want to have
26 a shortened term on that. And I would also think that
27 because you're talking about giving him -- well, I say
28 you're talking about giving him. I think y'all are

1 talking about giving him this number as a Budget Director
2 alone. If -- if that's different, Commissioner Gruber
3 and Commissioner Underwood would give him less if he
4 served as Budget Director alone.

5 COMMISSIONER BILLIE JO UNDERWOOD: (Indicates
6 affirmatively.)

7 ATTORNEY DAVID CONNER: Then we have to hash
8 that out, or y'all have to hash that out further. But
9 the -- the thing about the Interim is that I would think
10 you would need to make it a period of time, you know,
11 four months, six months, whatever it is.

12 Because I heard the concern that Commissioner Ball
13 has said and others have said about, you know, get to a
14 place where it's just there and you can't stop it. And
15 we're two-two now.

16 And so if you do do the Interim to get past this
17 point, I think it needs to have a time certain. I don't
18 think Ron would argue with that. If y'all decide that
19 you want to have this battle now and make the decision,
20 then y'all can do that as well.

21 But I think the things that are on the table is,
22 one, do you want to do an Interim? Two, does it have to
23 be -- does it need to be two separate people, which is
24 what I think I hear two of you saying.

25 And then the other wrinkle is I think your number is
26 for both of them. You nodded yes. If it was just Budget
27 Director only, you'd be less?

28 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

1 ATTORNEY DAVID CONNER: So y'all have got --
2 y'all have got to get an action as to what he's going to
3 be in the short term so y'all can get to a number.

4 COMMISSIONER BILLIE JO UNDERWOOD: Well, I'll
5 go ahead and just say I think that we can do the Interim
6 and keep -- let him be Budget Director and Interim.

7 But are you saying we have to come up with a -- Oh,
8 Never mind. I want to leave it like it is for -- for
9 now. If -- if we decided to change things, we can --
10 those contracts only have a one-month severance in them.

11 I'm still working on what I think the organizational
12 chart should look like in the future. And maybe I'm the
13 odd man out on that -- odd woman out on that one.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 We've got a figure of one twenty-one, five (\$121,500)
16 right now over there so.

17 MR. JOEY NUNNALLY: Want me to write that down?

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Yeah.

20 ATTORNEY DAVID CONNER: So, Mr. Chairman, is
21 that -- is that the number for the Budget Director's
22 salary?

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 Well -- well, if he's going to be -- if that's what -- if
25 that's what it is, and he's got to do Interim, he's got
26 to get paid for that Interim, whatever that is.

27 And, you know, that's -- that's -- I think that's --
28 that's a good gesture for him doing what he's done.

1 MR. RON CINK: I understand. And I appreciate
2 that. But you've got a hell of a management team around
3 you.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
5 I know it.

6 MR. RON CINK: I -- I don't mind. I'm -- I'm
7 good there. I -- if you want a letter of resignation for
8 six months down the road for Interim or whatever, you
9 know, I mean, I -- Y'all are -- y'all are tasked by the
10 voters to run the County. I don't want to stand in that
11 way. I don't want -- I don't want me to be an argument
12 here, please.

13 COMMISSIONER BILLIE JO UNDERWOOD: Well, it
14 sounds like it's split two to two. I think we need to
15 think about it. And, Mr. Chairman, you can make a
16 decision whether you want to put all of them on the
17 agenda or just the other ones that aren't in -- they have
18 to all go on there?

19 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
20 Well, I mean, that's what's -- that's what's been
21 instructed, you know, either we -- either they all go or
22 no go.

23 COMMISSIONER BILLIE JO UNDERWOOD: Well, I
24 don't think that's fair to hold the other people --

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 Well, that's the way --

27 COMMISSIONER BILLIE JO UNDERWOOD: -- hostage.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

1 That's the way it's presented right now, you know.

2 COMMISSIONER BILLIE JO UNDERWOOD: But that's
3 just the way I feel. But I don't think we're getting
4 anywhere right now. I think we're tired. And I think we
5 need to --

6 COMMISSIONER JAMES E. (JEB) BALL: I'm not
7 tired.

8 COMMISSIONER BILLIE JO UNDERWOOD: -- think on
9 it.

10 COMMISSIONER JOE DAVIS III: No. We can stay
11 here if we can get anywhere.

12 COMMISSIONER BILLIE JO UNDERWOOD: Well, it's
13 not a filibuster.

14 COMMISSIONER JOE DAVIS III: I'm not talking
15 about a filibuster. I'm talking about having --

16 COMMISSIONER JAMES E. (JEB) BALL: I don't want
17 to waste a whole other day on something like this.

18 COMMISSIONER JOE DAVIS III: Yeah.

19 COMMISSIONER BILLIE JO UNDERWOOD: I don't
20 think we need to.

21 COMMISSIONER JOE DAVIS III: We've got two jobs
22 that we've got one person trying to do in the fastest
23 growing county in the Southeast. I'll go that far.

24 And something is not able to get done as timely when
25 you've got one person trying to fill two jobs. That's
26 not right in any organization.

27 In any organization that has that situation
28 immediately tries to address it. That's been my point.

1 We need to recognize. It's -- that guy does a phenomenal
2 job. There's no question. But if we had two of him, how
3 much more could we get done; one as a Budget Director and
4 one as an Administrator?

5 COMMISSIONER BILLIE JO UNDERWOOD: Well, I
6 respect your opinion. I do. But it would be nice for
7 ours to be respected as well. And I don't know that we
8 can come to an agreement today.

9 COMMISSIONER JOE DAVIS III: You wouldn't want
10 advertise for a Director and go through the interview
11 process?

12 COMMISSIONER BILLIE JO UNDERWOOD: I think he
13 needs an Assistant, anybody, even if it ended up not
14 being Ron Cink. I think there still needs to be an
15 Assistant Administrator. But I just --

16 COMMISSIONER JOE DAVIS III: Even more reason
17 we need to separate the two. Because you're saying that
18 we need more attention spent on the Administrator's role.
19 I agree.

20 There are things that need to be done. Research was
21 something that was mentioned earlier about some previous
22 additional person. There are things that we can't get to
23 as timely --

24 COMMISSIONER BILLIE JO UNDERWOOD: Well --

25 COMMISSIONER JOE DAVIS III: -- when you take
26 two Constitutionally required job descriptions and put
27 one person in that slot, regardless of who that person
28 is.

1 COMMISSIONER BILLIE JO UNDERWOOD: Well, it
2 actually has been working. Maybe I missed something when
3 I went to the bathroom. But it -- it has actually has
4 been working. From what I have heard from -- What's the
5 lady's name, Hope, the attorney? She said we've not had
6 the number of lawsuit settlements.

7 We've not -- I -- I think that I have seen an effort
8 to do the best that could be done in order to -- to do
9 the best job that can be done without in -- inhouse legal
10 help, without an Assistant and still -- Because numbers
11 is the job.

12 I don't think Budget Director should be an appointed
13 position. But we're bound by the law. And so if it's
14 not wrong for it to be two different positions, I don't
15 have a problem with it remaining two positions.

16 But I feel like that maybe an Assistant, who could
17 be a legal person, could help. Now, if all that doesn't
18 end up working out, and there's cause, then we can
19 always -- These are contracts. These are not merit
20 employees. These contracts. And that's why --

21 COMMISSIONER JOE DAVIS III: And everybody --

22 COMMISSIONER BILLIE JO UNDERWOOD: That's why
23 they are --

24 COMMISSIONER JOE DAVIS III: -- in this room
25 has a contract --

26 COMMISSIONER BILLIE JO UNDERWOOD: That's why
27 they are --

28 COMMISSIONER JOE DAVIS III: -- right now

1 that's enforced.

2 COMMISSIONER BILLIE JO UNDERWOOD: I have done
3 so much research that my mind is foggy on organizational
4 structure of Counties in the State of Alabama. It's the
5 most convoluted mess I've ever seen in my life as far as
6 it all being different.

7 COMMISSIONER JOE DAVIS III: Sure.

8 COMMISSIONER BILLIE JO UNDERWOOD: I can't see
9 how we can be that much different all around the whole
10 state, but we are.

11 COMMISSIONER JOE DAVIS III: Certainly.

12 COMMISSIONER BILLIE JO UNDERWOOD: And so I
13 just feel like I don't even see why we need anything more
14 than an Administrator and County Engineer. And then
15 everything else would be underneath them. But I know --

16 COMMISSIONER JOE DAVIS III: What's what --

17 COMMISSIONER BILLIE JO UNDERWOOD: -- that's
18 probably never going to happen.

19 COMMISSIONER JOE DAVIS III: What you're saying
20 is that everybody except those two or three spots need to
21 be merit employee?

22 COMMISSIONER BILLIE JO UNDERWOOD: Uh-huh.

23 (Indicates affirmatively.)

24 COMMISSIONER JOE DAVIS III: And you think that
25 works best?

26 COMMISSIONER BILLIE JO UNDERWOOD: I can't say,
27 because I'm very new to this whole process.

28 COMMISSIONER JOE DAVIS III: Okay. Nor --

1 COMMISSIONER BILLIE JO UNDERWOOD: But I --

2 COMMISSIONER JOE DAVIS III: -- can I.

3 COMMISSIONER BILLIE JO UNDERWOOD: But I can
4 say my research has found that that is about what is out
5 there. And even -- I know we're not large enough for a
6 Personnel Board. And I've heard horror stories about a
7 Personnel Board from one of our neighboring County
8 Commissioners from across the bay over there.

9 But I just feel like that we wouldn't be in this
10 kind position if the Budget Director wasn't an appointed
11 position, you know.

12 And so I think County Engineer and Administrator,
13 from my research, has been the best. And so I think that
14 because of our organizational chart, we're in a situation
15 because somebody wanted control over ten people.

16 COMMISSIONER JOE DAVIS III: How many of those
17 areas that you looked into had an even number of County
18 Commissioners?

19 COMMISSIONER BILLIE JO UNDERWOOD: None.

20 COMMISSIONER JOE DAVIS III: That's what I
21 looked up. That's what I checked into.

22 COMMISSIONER BILLIE JO UNDERWOOD: Yeah. And I
23 also --

24 COMMISSIONER JOE DAVIS III: And that's a
25 challenge that --

26 COMMISSIONER BILLIE JO UNDERWOOD: -- did
27 research on that.

28 COMMISSIONER JOE DAVIS III: -- we need to --

1 COMMISSIONER BILLIE JO UNDERWOOD: We're not
2 really here about that right now, but --

3 COMMISSIONER JOE DAVIS III: Well, no. But
4 that may be something we need our Administrator to spend
5 time on researching for us so we can decide. And he
6 could not have to do some of budget deliberations things
7 that he has to do. The guy does phenomenal. He's doing
8 two jobs.

9 COMMISSIONER BILLIE JO UNDERWOOD: Well --

10 COMMISSIONER JOE DAVIS III: But there are
11 things in both those jobs that have to be pushed back.
12 And that's not good for us.

13 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.
14 There's -- there's extreme opposites. You have -- Like
15 Shelby County has nine Commissioners, and they have one
16 County Administrator, and then everybody is under that.
17 So we've got -- we've the got all kind of opposites,
18 but --

19 COMMISSIONER JOE DAVIS III: That's right.

20 COMMISSIONER BILLIE JO UNDERWOOD: -- so I
21 don't think that right now that anybody -- I know
22 where -- I have made my statement, that I think we -- and
23 I don't see where -- I think it's a split right now.

24 COMMISSIONER JAMES E. (JEB) BALL: I'm not
25 worried about one single other county in this state other
26 than this one. I'm not worried about what Escambia does,
27 Mobile does.

28 Because none of those people -- I -- I got elected

1 here to represent Baldwin County. And so when we start
2 comparing ourselves to other counties, there's not
3 another county out of the rest of them that are like us.
4 I don't think there's any that are like us, comparison of
5 anything.

6 So I think -- And -- and Ron made a comment a little
7 while ago about the structure of how this is. I mean,
8 the ten people are set up kind of to -- for us to use a
9 go-to to be able to discuss merit-based employees; am I
10 right? I mean, if we have to go to one or two people to
11 discuss something, I mean, that's going to -- and that's
12 just -- to me, that's just not -- I don't look at it as a
13 way of -- of somebody trying to control --

14 COMMISSIONER BILLIE JO UNDERWOOD: It obviously
15 works --

16 COMMISSIONER JAMES E. (JEB) BALL: -- somebody.

17 COMMISSIONER BILLIE JO UNDERWOOD: -- in other
18 places, even though you're only concerned about Baldwin
19 County. So it has to be a way to look at that. And, I
20 mean, but --

21 ATTORNEY DAVID CONNER: Can I add something,
22 see if I can help, help us a little bit? I think one of
23 the things that -- that drives the discussion and where
24 we are today -- And I'm going to be speaking a little bit
25 before my time -- but is how things were done in the past
26 versus how we got to where we are.

27 And I think those things are important. You need to
28 consider them. But you also need to think that -- that

1 just because it was always done that way, doesn't
2 necessarily mean you have to stay that way.

3 This is your Commission, your -- your -- your
4 Commission, your government that you're leading. I say
5 that to say that Ron is somewhere between what Mike
6 Thompson was and what David Brewer was.

7 What I mean by that, the Commissioners went to a
8 strong -- at that point in time, went to a strong County
9 Commission -- County Administrator, where everybody was
10 under him, reporting. And then the Commission decided,
11 at some point in time, that they didn't like that. And
12 so then they wanted to take it back down.

13 Well, when David came in, he wanted to do the job.
14 He wanted to serve. But he is so afraid of being called
15 County Administrator, he wanted to change the title to
16 Secretary. And he didn't have any oversight authority
17 over any of the department heads.

18 Ron technically doesn't have oversight authority,
19 but they communicate with each other and they work things
20 out in that way.

21 He is the head of the Personnel portion so far as
22 reviewing personnel cases, making firing decisions on
23 appeal, those kind of things. And there's other
24 authority that he has.

25 But sometimes some of those decisions appear to have
26 be made, you know, from one extreme to the other.
27 Somewhere there is a medium that you may all get.

28 Now, Joey just sent something, an e-mail to me. And

1 it's an interesting thought. I'm going to put this out
2 there, because I always want you to know everything
3 that's circulating around that I know.

4 I don't know if it makes it more complicated or not,
5 but it's an interesting thought. And he -- he texted me
6 the word Budget Director, slash, County Administrator.

7 MR. JOEY NUNNALLY: Assistant.

8 MR. RON CINK: Assistant.

9 MR. JOEY NUNNALLY: I'm sorry. Assistant
10 Administrator. Budget Director, slash, Assistant
11 Administrator. You have a County Administrator, but your
12 Budget Director would also serve as an Assistant
13 Administrator to help backup the Administrator.

14 Now, does that work for everybody always? Maybe
15 not. But Ron has -- If you're talking about training a
16 new Administrator, he has some skill, obviously, in the
17 County Administrator's position. Y'all all are
18 comfortable with him being Budget Director.

19 Would that position last that way forever? It may
20 not. It may only last his tenure here. But that would
21 be something that y'all might could think about to bridge
22 the gap where you are, if you're trying to utilize your
23 existing employees.

24 COMMISSIONER BILLIE JO UNDERWOOD: Would that
25 be --

26 ATTORNEY DAVID CONNER: I don't know if that's
27 a good idea or a bad idea.

28 COMMISSIONER BILLIE JO UNDERWOOD: -- two

1 classifications of employees, though?

2 ATTORNEY DAVID CONNER: Well, it would be -- it
3 would be -- it begs the question -- The question that
4 came to my mind is the Budget Director is listed as a
5 party. Now, some of y'all were talking about whether or
6 not Budget Director ought to be that or not, if it's
7 required --

8 COMMISSIONER BILLIE JO UNDERWOOD: It is right
9 now.

10 ATTORNEY DAVID CONNER: It is right now.

11 COMMISSIONER JOE DAVIS III: It is currently.

12 ATTORNEY DAVID CONNER: But, you know, if -- if
13 y'all wanted to make a change along those lines, that's
14 something we could probably accomplish fairly quickly in
15 a session, if you decided that Budget Director is not a
16 policy position, and you don't necessarily have to have
17 an appointed contract employee there.

18 You know, that might be something for you to
19 consider. I don't know if that makes it easier on you or
20 worse on you. But Joey texted that to me. And think
21 about where we sit today. It's at least worth a
22 discussion.

23 I don't know if it helps you or hurts you. You
24 might want to keep those two positions completely
25 separate, Budget Director, County Administrator
26 completely separate. And you might want to do a County
27 Administrator Assistant.

28 But it was just something he sent. So I just wanted

1 to put it on the table for y'all to at least have,
2 whether you do anything with it or not.

3 Because right now I guess if you had -- if you to
4 name the Assistant backup, Kim is that person or would be
5 that person, potentially.

6 MS. KIM CREECH: And the Budget Director used
7 to report to the County Administrator. Until they
8 changed the law, that's the way the structure was.

9 ATTORNEY DAVID CONNER: So I don't know if
10 that -- I don't know if that helps the discussion.
11 Again, sometimes you make decisions on what you think
12 things want to be. Sometimes you make decisions based on
13 the players that you have --

14 COMMISSIONER JOE DAVIS III: Sure.

15 ATTORNEY DAVID CONNER: -- at that point in
16 time. So you might just think about whether that helps
17 you or not. I don't know. It was at least interesting
18 enough I wanted to share it with you.

19 COMMISSIONER JOE DAVIS III: With that being
20 said, Ron, would you be willing to serve as the Assistant
21 Administrator, slash, Budget Director --

22 MR. RON CINK: Yeah.

23 COMMISSIONER JOE DAVIS III: -- and us pursue
24 the process of hiring an Administrator and encourage you
25 to apply for it, if you chose to?

26 MR. RON CINK: Yeah. I mean --

27 COMMISSIONER JOE DAVIS III: That's the kind of
28 plan I'm looking for. I'm not about throwing people

1 under the bus. I'm not about saying people are not doing
2 a good job.

3 But we asking somebody to do two jobs that require
4 one hundred percent (100%) of their -- And that's two
5 hundred percent (200%) for one guy to try to do. And
6 that has bothered from the get-go.

7 COMMISSIONER BILLIE JO UNDERWOOD: I don't
8 understand that exactly, because we're getting two more
9 jobs.

10 COMMISSIONER JOE DAVIS III: Not --

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 That's --

13 COMMISSIONER JOE DAVIS III: If this will get
14 us --

15 COMMISSIONER JAMES E. (JEB) BALL: It seems
16 like we can still do a Budget Director, slash, Assistant
17 County Administrator and still be a contract.

18 ATTORNEY DAVID CONNER: The -- the -- the
19 only -- the only thing that concerns me about that is --
20 is you've -- in Ron's case, being appointed two -- two
21 appointed positions, the merit system doesn't apply to
22 him at all. The only job title -- You've got a person
23 in -- in his two job titles, both are not subject to the
24 merit system.

25 The merit system says all employees except these
26 people shall be merit. So in a Budget, slash,
27 Administrator [sic], you've got half of this guy is
28 appointed and half of his job title is not. That's the

1 only confusion that's introduced there, potentially.

2 But, there again, that could be fixed one or two
3 ways. You could remove Budget Director from the state
4 statute saying that he's not an appointed contract
5 employee, or you could say Budget Director, slash, County
6 Administrator [sic] --

7 COMMISSIONER JAMES E. (JEB) BALL: Assistant.

8 ATTORNEY DAVID CONNER: I'm sorry. I keep --
9 I'm sorry. Assistant. I keep saying Assistant. I'm
10 sorry.

11 MS. KIM CREECH: Or -- or you could change the
12 job description. Budget Director has these
13 administrative --

14 ATTORNEY DAVID CONNER: You could.

15 COMMISSIONER JOE DAVIS III: That's what I was
16 going --

17 ATTORNEY DAVID CONNER: That's a good point.

18 COMMISSIONER JOE DAVIS III: -- to say. Let
19 the job description point out --

20 ATTORNEY DAVID CONNER: That's a good point.

21 COMMISSIONER JOE DAVIS III: -- the Assistant
22 Administrator's duties --

23 ATTORNEY DAVID CONNER: That's a good point.
24 That could possibly --

25 COMMISSIONER JOE DAVIS III: -- to both assist
26 the current Administrator and serve in their absence. I
27 can't be in two places at once.

28 ATTORNEY DAVID CONNER: That's a good way to

1 bridge --

2 COMMISSIONER JOE DAVIS III: Again --

3 ATTORNEY DAVID CONNER: -- the gap.

4 COMMISSIONER JOE DAVIS III: -- that gets us to
5 the point of advertising for Administrator. And that's
6 what I think we need to do. But there are others that
7 don't think that way.

8 ATTORNEY DAVID CONNER: And, again, those
9 suggestions are just trying to bridge a gap. Y'all
10 ultimately have to decide what y'all want to do.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 Well, if that's what will get us to get this thing -- get
13 this thing done, you know, I'm fine with that. You know,
14 I'm not going to -- you know, if Ron accepts this here,
15 then he'll also be, like he is, he'll be the Assistant --

16 MR. RON CINK: Now you're --

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 -- Administrator.

19 MR. RON CINK: -- confusing me.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 Well, you would be the Budget Director, slash, Assistant
22 Administrator.

23 COMMISSIONER BILLIE JO UNDERWOOD: I don't
24 think we -- I thought you said --

25 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
26 I mean, but the duties would be considered into it;
27 right?

28 COMMISSIONER JOE DAVIS III: The Budget

1 Director's job description could include verbiage that
2 would identify that.

3 ATTORNEY DAVID CONNER: Require him to
4 assist --

5 COMMISSIONER JOE DAVIS III: Correct.

6 ATTORNEY DAVID CONNER: The Assistant to the
7 County Administrator.

8 COMMISSIONER JAMES E. (JEB) BALL: Would we
9 have to call him an Assistant Administrator? Could he
10 just --

11 COMMISSIONER JOE DAVIS III: Be called Staff
12 Director and one of his duties --

13 COMMISSIONER JAMES E. (JEB) BALL: I mean, he
14 could be called Budget Director. And in that Budget
15 Director's job description --

16 ATTORNEY DAVID CONNER: Could include.

17 COMMISSIONER JAMES E. (JEB) BALL: Because
18 that's our -- we make the job description for the Budget
19 Director.

20 ATTORNEY DAVID CONNER: That's right. The only
21 thing that's listed in the statute is the title.

22 COMMISSIONER JAMES E. (JEB) BALL: And we
23 could -- we could include into that job description that
24 he assist the County Administrator also with his duties.

25 ATTORNEY DAVID CONNER: I think that's right.

26 COMMISSIONER JOE DAVIS III: We probably --

27 MR. RON CINK: That'll work.

28 COMMISSIONER JOE DAVIS III: -- have a policy

1 that talks about --

2 COMMISSIONER JAMES E. (JEB) BALL: Instead of
3 having a dual -- a dual --

4 COMMISSIONER JOE DAVIS III: -- could
5 appoint --

6 COMMISSIONER JAMES E. (JEB) BALL: Still having
7 another dual role, you'd just -- you'd just -- in the
8 Budget Director's job description, we just add
9 language --

10 ATTORNEY DAVID CONNER: I think that's right --

11 COMMISSIONER JAMES E. (JEB) BALL: -- talking
12 about how he would also assist the County Administrator.

13 MR. MIKE HOWELL: That's the way my contract
14 is. I'm the Building Official. And in the job
15 description, it has the Flood and --

16 COMMISSIONER JOE DAVIS III: All these other
17 things.

18 MR. MIKE HOWELL: Right.

19 COMMISSIONER JOE DAVIS III: Sure.

20 ATTORNEY DAVID CONNER: I think that works.
21 And so what that accomplishes is, it -- it -- one, it
22 gets y'all to a vote. You don't have this split over
23 who's the County Administrator. In his job description,
24 it will say, in the absence of a County Administrator,
25 you assist and fulfill the duties of the County
26 Administrator, one of his lines.

27 And so in the interim, while y'all are deciding, he
28 is acting as the County Administrator, by his job

1 description as Budget Director. It's not perfect, but
2 that's the best place we've got so far.

3 COMMISSIONER JOE DAVIS III: Thank you, Joey.
4 You're thinking. That's what we all need --

5 COMMISSIONER JAMES E. (JEB) BALL: I was
6 thinking --

7 MR. JOEY NUNNALLY: Trying to find --

8 COMMISSIONER JAMES E. (JEB) BALL: -- that,
9 but --

10 MR. JOEY NUNNALLY: -- a middle ground.

11 COMMISSIONER JAMES E. (JEB) BALL: I thought
12 that, but I didn't think it was legal.

13 COMMISSIONER JOE DAVIS III: Yeah. I didn't --

14 COMMISSIONER JAMES E. (JEB) BALL: I didn't
15 think you could do it.

16 ATTORNEY DAVID CONNER: I didn't think it was,
17 either, until we talked about it more.

18 MR. CLIFF MCCOLLUM: Now, getting back to the
19 other problem that you guys had with the salary, if you
20 kept that separate, would the Assistant Administrator's
21 position as the one twenty-one, five (\$121,500) be okay
22 with everybody?

23 COMMISSIONER JAMES E. (JEB) BALL: Yeah, I
24 think so.

25 COMMISSIONER JOE DAVIS III: I think so.

26 ATTORNEY DAVID CONNER: Well, hold on. We're
27 talking about two different things now.

28 COMMISSIONER JOE DAVIS III: No.

1 COMMISSIONER JAMES E. (JEB) BALL: No.

2 COMMISSIONER JOE DAVIS III: He's --

3 ATTORNEY DAVID CONNER: That -- this is -- Is
4 that a County Administrator's salary, or is that the
5 Budget Director's salary?

6 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
7 That was combined, my thing was.

8 COMMISSIONER BILLIE JO UNDERWOOD: Mine is
9 combined.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 So that makes it --

12 MR. CLIFF McCOLLUM: And theirs is just Budget
13 Director. So if he takes on Assistant Administrator --

14 COMMISSIONER JAMES E. (JEB) BALL: That's what
15 we're talking about.

16 MR. CLIFF McCOLLUM: -- are y'all willing to go
17 to the one twenty-one, five (\$121,500)?

18 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
19 Yeah.

20 ATTORNEY DAVID CONNER: Wait a minute. No, no,
21 no. I'm not trying to --

22 MR. CLIFF McCOLLUM: I'm just trying to come to
23 the --

24 ATTORNEY DAVID CONNER: Well, I'm with you.
25 I'm trying to get there, too. But as Budget Director,
26 he's going to have the duties listed to assist the County
27 Administrator.

28 COMMISSIONER JAMES E. (JEB) BALL: Right.

1 ATTORNEY DAVID CONNER: That's the job. He's
2 going to be doing that job. So what this salary is, is
3 going to be the Budget Director's salary knowing those
4 duties are in his -- in his thing.

5 So the question is from you two, I think -- because
6 I think y'all two are fine with the salary you put up
7 there for that position.

8 For you two, with the Budget Director taking on
9 those additional obligations and duties to assist the
10 County Administrator, where does that get you two on
11 salary?

12 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
13 One twenty-one, five (\$121,500) to me is fine.

14 COMMISSIONER BILLIE JO UNDERWOOD: There's
15 three. That's what you need; right?

16 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
17 Well, I think, you know --

18 COMMISSIONER BILLIE JO UNDERWOOD: I -- I'm not
19 I'm not comfortable yet with it. But if you've got
20 three, then that's enough to --

21 ATTORNEY DAVID CONNER: So what's the number?

22 MR. JOEY NUNNALLY: One twenty-one, five
23 (\$121,500).

24 ATTORNEY DAVID CONNER: And then y'all would
25 need to come back at some point and talk about
26 advertising and the salary for County Administrator.

27 COMMISSIONER BILLIE JO UNDERWOOD: I'm not
28 done -- I didn't wrap my head around researching a salary

1 position for just Budget Director. And now we've got a
2 whole new Assistant Administrator brought into -- not
3 Assistant Administrator, but increasing the duties of the
4 Budget Director, I'm not -- I'm not --

5 COMMISSIONER JAMES E. (JEB) BALL: He's already
6 got increased duties.

7 COMMISSIONER JOE DAVIS III: Uh-huh.
8 (Indicates affirmatively.)

9 COMMISSIONER JAMES E. (JEB) BALL: He's the
10 County Administrator now. So he's got -- he's got the
11 duties now.

12 MS. KIM CREECH: To answer your question, what
13 Ron's salary was as a Budget Director before he added on
14 Administrator --

15 COMMISSIONER BILLIE JO UNDERWOOD: You gave --

16 MS. KIM CREECH: -- was --

17 COMMISSIONER BILLIE JO UNDERWOOD: -- that.

18 MS. KIM CREECH: -- ninety-three (\$93,000).

19 MR. RON CINK: Yeah. You guys were -- it was
20 in that write-up.

21 COMMISSIONER JOE DAVIS III: Yeah. And it's
22 one eleven, five seventy-one (\$111,571) right now?

23 MR. RON CINK: Yes, sir.

24 COMMISSIONER JOE DAVIS III: And so being able
25 to move you to that number, in my way of thinking, is to
26 recognize what you've done for us, but move it to where
27 we can add an Administrator.

28 And you can apply for that job. I would encourage

1 you to. But we've got two jobs that we need two people
2 in. That's my thought.

3 And the fact that the Budget Director then serves as
4 the Assistant Administrator or his job description falls
5 into that, I think, is a great way to make it work.

6 COMMISSIONER BILLIE JO UNDERWOOD: But who is
7 going to be the Interim Administrator?

8 COMMISSIONER JAMES E. (JEB) BALL: You don't
9 have to have an Interim.

10 MR. RON CINK: Spins a --

11 COMMISSIONER JOE DAVIS III: Pointing --

12 ATTORNEY DAVID CONNER: We don't have hire an
13 Interim anymore. His job description will include assist
14 the County Administrator. And there will be a line that
15 says in the absence or inability of the County
16 Administrator to fulfill his duties, then the Assistant
17 Administrator acts as County Administrator.

18 COMMISSIONER BILLIE JO UNDERWOOD: So we just
19 don't have one right now?

20 ATTORNEY DAVID CONNER: That's right.

21 MR. JOEY NUNNALLY: We don't have an Interim.
22 You'll be advertising for an Administrator.

23 ATTORNEY DAVID CONNER: Right.

24 COMMISSIONER BILLIE JO UNDERWOOD: Okay. All
25 right.

26 ATTORNEY DAVID CONNER: Does that make sense?

27 MR. JOEY NUNNALLY: Does that make sense?

28 COMMISSIONER BILLIE JO UNDERWOOD: Yeah, but

1 you better write it down where I can read it, though.

2 MR. RON CINK: Clear as mud.

3 ATTORNEY DAVID CONNER: And, again --

4 COMMISSIONER JOE DAVIS III: Clear as mud.

5 ATTORNEY DAVID CONNER: And, again, this --

6 this seems to work because of the players we have in
7 place. You know, when Ron's tenure is up as Budget
8 Administrator [sic], you may look at that and say, no, I
9 don't want those two positions anymore.

10 COMMISSIONER BILLIE JO UNDERWOOD: Uh-huh.

11 (Indicates affirmatively.)

12 ATTORNEY DAVID CONNER: You might want to
13 reduce the Budget Director's salary and have a Assistant
14 Administrator. But because of Ron's skill set and
15 because of who we have, that lets y'all address that.
16 And, hopefully, that's a few years down the road.

17 COMMISSIONER JOE DAVIS III: And that keeps us
18 operating without any hitch. But it also puts a plan in
19 place for us to add to our Administrative team and take
20 the duties of two jobs off of one guy. And that's what
21 I've been about. I didn't say it well, but that's what
22 I've been about the whole time.

23 MR. RON CINK: You've got a great management
24 team around you. You really do.

25 COMMISSIONER JAMES E. (JEB) BALL: Let me --
26 Just to make it clear one more time. I know what we've
27 all said. We've got all this. And we're going to vote
28 on each one of these separately under the lights?

1 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

2 We have to. Each one of those --

3 COMMISSIONER JAMES E. (JEB) BALL: Oh, I
4 understand.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

6 Each --

7 COMMISSIONER JAMES E. (JEB) BALL: I
8 understand. What I'm --

9 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
10 -- one of them will --

11 COMMISSIONER JAMES E. (JEB) BALL: -- saying
12 is --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
14 -- be an individual contract.

15 COMMISSIONER JAMES E. (JEB) BALL: And we don't
16 know how we're going to vote. And that's --

17 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
18 Well --

19 COMMISSIONER JAMES E. (JEB) BALL: -- the whole
20 scary part about all this, that --

21 COMMISSIONER BILLIE JO UNDERWOOD: We are not
22 renewing the Administrator's contract at this time?

23 ATTORNEY DAVID CONNER: Let me -- let me help
24 out.

25 MR. RON CINK: Yeah, if you will.

26 ATTORNEY DAVID CONNER: Vote for Ron first.

27 COMMISSIONER JOE DAVIS III: First.

28 ATTORNEY DAVID CONNER: Vote Ron's contract

1 first.

2 COMMISSIONER JOE DAVIS III: That's exactly
3 right.

4 ATTORNEY DAVID CONNER: If you vote Ron's
5 contract first -- And y'all don't have to do that. Y'all
6 may decide you don't want to do that. But if you vote
7 Ron's contract first, then everybody in the room knows
8 where everybody's at on that issue.

9 And that's the only issue that's holding y'all up.
10 And after you vote on Ron, then you can vote. If you
11 don't get a vote on Ron, then y'all all know -- Well, you
12 can change your mind anytime you want to. But the room
13 has said that -- from me just listening, that it's
14 two-to-two after that.

15 Now, how y'all want to phrase that or how you want
16 to set that up is you. But if you want to take that
17 question mark out of the way for the other contracts,
18 then what's the way you do it.

19 You know, that's a strategy thing between you, as
20 Commissioners, as to how y'all want to do that. But that
21 would be a way to take that question mark away. That's
22 the question mark that's in the room.

23 MR. RON CINK: Point of clarification. They
24 need -- they need, by affirmative vote, to cancel the
25 existing contracts; correct? So there's two steps to
26 this thing.

27 ATTORNEY DAVID CONNER: Right.

28 MR. RON CINK: So --

1 ATTORNEY DAVID CONNER: Each --

2 MR. RON CINK: -- each one of -- each one of
3 your appointed's, the first step would be cancel the
4 existing contract. Because by -- by -- and by operation,
5 is it is -- it is actually null and void. But you have
6 to do something in the affirmative. So you would cancel
7 that contract and adopt the new one; is that correct?

8 ATTORNEY DAVID CONNER: Right. According the
9 terms of Alabama Code Section 11-45-2, the County
10 Commission hereby elects not to renew and to cancel the
11 existing contract, comma, no severance pay will be paid
12 to the individual appointed contract.

13 Number two, the County Commission hereby authorizes
14 the Chairman to enter into a new contract with that same
15 person, and a copy if it is attached as an exhibit.

16 COMMISSIONER JOE DAVIS III: And it has the new
17 numbers.

18 ATTORNEY DAVID CONNER: New numbers, new
19 contract terms.

20 MR. RON CINK: That's just clarification.

21 ATTORNEY DAVID CONNER: That's how it would
22 work.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 Okay. All right. Well, then that's the way it will be
25 put on the agenda. Anything else?

26 (No response.)

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 Did you have another --

1 ATTORNEY DAVID CONNER: Oh, yes. Executive
2 session. I'm sorry.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
4 Okay.

5 MR. JOEY NUNNALLY: I'll just take a snapshot
6 and send it to you.

7 COMMISSIONER JOE DAVIS III: Shoot a picture of
8 that.

9 MS. KIM CREECH: I put it in a spreadsheet.

10 MR. JOEY NUNNALLY: You did?

11 MS. KIM CREECH: Uh-huh. (Indicates
12 affirmatively.) Yeah. I -- Joey, I mean, if you want to
13 confirm, I've got JDC at eighty-seven (\$87,000), Building
14 Inspector, one-oh-nine (\$109,000) --

15 ATTORNEY DAVID CONNER: No, no, no. JDC's
16 ninety (\$90,000).

17 MS. KIM CREECH: Oh, okay. Y'all changed it.
18 I'm sorry. And then I've got Building Inspector,
19 one-oh-nine (\$109,000).

20 MR. JOEY NUNNALLY: Yes.

21 MS. KIM CREECH: Clerk/Treasurer one twenty
22 (120,000)?

23 MR. JOEY NUNNALLY: Yes.

24 MS. KIM CREECH: County Engineer one fifty-four
25 (\$154,000)?

26 MR. JOEY NUNNALLY: Yes.

27 MS. KIM CREECH: I've got Environmental
28 Director, one twelve (\$112,000).

1 MR. JOEY NUNNALLY: Yes.

2 MS. KIM CREECH: And CIS, one twenty-five
3 (\$125,000).

4 MR. JOEY NUNNALLY: Yes.

5 MS. KIM CREECH: And Budget Director is one
6 twenty-one, five hundred (\$121,500).

7 MR. JOEY NUNNALLY: Yes.

8 MS. KIM CREECH: Okay. So I have all these in
9 I spreadsheet that I can --

10 MR. JOEY NUNNALLY: Yeah.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
12 All right.

13

14 **R-8 - REQUEST FOR EXECUTIVE SESSION**

15 ATTORNEY DAVID CONNER: I'm tired. I'm going
16 to read this instead of just from memory.

17 Mr. Chairman, in accordance with Alabama Code
18 Section 36-25-A7(a) (1) I make the recommendation that --
19 Hang on just one sec -- that we go into executive session
20 to discuss the general representation and character,
21 physical condition, professional competence, or mental
22 health of individuals, or subject to the limitations
23 setout herein to discuss the job performance of certain
24 public employees.

25 Also, in accordance with Section 3, to discuss with
26 your attorney the legal ramifications of and legal
27 options for pending litigation, controversies not yet
28 being litigated but eminently likely to be litigated or

1 eminently likely to be litigated if the governmental body
2 pursues a proposed course of action.

3 I make the oral declaration the discussion is
4 appropriate for executive session. It is anticipated the
5 executive session will last approximately fifteen
6 (15) minutes.

7 There will be -- cannot take any action in a work
8 session anyway, so I would suggest that you adjourn from
9 the executive session.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
11 Okay.

12 COMMISSIONER JOE DAVIS III: May we have a
13 five-minute break between the two?

14 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
15 Oh, yeah. We'll do it before the --

16 ATTORNEY DAVID CONNER: Take the -- take the
17 vote first.

18 COMMISSIONER JAMES E. (JEB) BALL: Make a
19 motion.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
21 I hear a motion by -- I've got a motion by --

22 COMMISSIONER JOE DAVIS III: Second.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
24 -- Commissioner Ball, second by Commissioner Davis. Any
25 further discussion?

26 (No response.)

27 COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:
28 If not, all in favor, signify by saying aye.

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(Commissioners say "aye" in unison.)

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

So we'll go into executive session and --

COMMISSIONER BILLIE JO UNDERWOOD: And --

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

-- for about ten minutes and then --

COMMISSIONER BILLIE JO UNDERWOOD: So --

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER:

-- leave from there.

(The Baldwin County Commission Work Session was adjourned into
Executive Session at 2:40 p.m.)



C E R T I F I C A T E

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STATE OF ALABAMA)
BALDWIN COUNTY)

I hereby certify that the above and foregoing transcript was taken down by me in stenotype and the proceedings were transcribed by means of computer-aided transcription, and that the foregoing represents a true and correct transcript of the meeting given by said parties upon said meeting.

I further certify that I am neither of counsel nor of kin to the parties, nor am I in anywise interested in the result of said proceedings.



SUSAN C. ANDREWS,
Certified Court Reporter,
Certification No. 287

<p>41:5, 60:27, 61:3, 61:6, 76:12, 136:8 2019..... .. [1] - 7:12 2020 [2] - 10:22, 11:10 21 [1] - 5:15 212,000 [1] - 71:28 22 [1] - 5:17 22251 [1] - 1:14 225 [2] - 65:1, 82:16 22nd [5] - 45:5, 45:21, 130:28, 131:5, 131:7 24 [4] - 12:23, 71:25, 72:6, 79:14 25 [19] - 66:7, 99:15, 99:18, 99:22, 99:23, 159:11, 159:24, 161:24, 162:3, 162:4, 163:18, 164:5, 169:7, 169:24, 170:7, 170:11, 221:3, 221:4 25 [2] - 125:4, 162:26 26 [2] - 85:24, 232:11 2600 [2] - 7:24, 138:19 27 [1] - 170:22 27th [1] - 12:18 282 [2] - 74:16, 74:20 287 [2] - 1:16, 317:26 29th [1] - 139:22 2:40 [1] - 316:12 2nd [1] - 131:2</p>	<p>320 [2] - 159:15, 160:6 33 [1] - 5:19 34 [1] - 5:21 35 [2] - 5:23, 65:13 35 [1] - 66:13 36 [1] - 34:10 36-25-A7(a)(1) [1] - 314:18 36-25A-7(a)(1) [1] - 151:27 360 [1] - 171:9 360) [2] - 171:10, 171:12 365 [1] - 72:7 37 [1] - 5:26 37%) [1] - 73:23 375 [1] - 73:26 38 [1] - 74:2 39 [2] - 5:27, 74:1 3rd [2] - 12:25, 86:7</p>	<p>6% [1] - 41:18 60 [6] - 7:15, 85:17, 169:7, 169:25, 170:7, 170:12 60) [1] - 66:12 600 [1] - 88:26 64 [3] - 7:5, 87:15, 91:14 640 [1] - 171:12</p>	<p>ability [3] - 89:15, 118:6, 274:12 able [26] - 24:23, 25:1, 39:3, 53:16, 66:27, 66:28, 76:2, 84:20, 88:7, 93:19, 108:28, 138:23, 139:21, 145:9, 157:3, 185:1, 197:6, 198:3, 206:12, 213:20, 263:4, 264:19, 265:19, 288:24, 294:9, 307:24 abolish [1] - 134:8 absence [3] - 300:26, 303:24, 308:15 absolute [1] - 262:23 absolutely [6] - 31:3, 123:17, 123:20, 199:26, 233:1, 264:4 accept [4] - 12:11, 226:15, 237:7, 237:9 accepted [3] - 72:20, 74:17, 134:19 accepts [2] - 260:6, 301:14 ACCESSORIES [1] - 18:9 Accessories [1] - 5:6 accessories [1] - 18:12 accident [1] - 79:8 accidental [1] - 72:13 accidents [2] - 79:20, 79:24 accommodate [1] - 104:1 accomplish [2] - 176:4, 297:14 accomplishes [1] - 303:21 accordance [9] - 72:19, 151:26, 152:4, 158:25, 159:1, 159:3, 172:4, 314:17, 314:25 according [2] - 256:3, 312:8 accordingly [1] - 261:19 Accountant [2] - 253:24, 254:9 Accounting [1] - 247:9 ACCOUNTS [1] - 81:12 accounts [1] - 81:23 Accounts..... [1] - 6:12 accreditation [2] -</p>	<p>73:10, 76:23 accredited [2] - 73:14, 73:19 accrued [3] - 161:27, 162:6 accumulated [1] - 171:8 Accurate [1] - 34:8 accurately [1] - 72:16 achieve [2] - 85:26, 116:3 acid [3] - 261:21, 261:22, 264:1 acres [6] - 37:13, 37:18, 45:3, 85:9, 87:9, 91:9 Act [3] - 6:10, 59:2, 150:11 ACT [1] - 58:24 act [2] - 189:15, 191:6 Acting [3] - 2:14, 3:4, 260:17 acting [2] - 200:22, 303:28 action [18] - 28:6, 36:1, 38:12, 43:28, 52:9, 52:15, 79:11, 80:2, 102:11, 139:19, 152:9, 212:17, 212:23, 268:21, 269:18, 286:2, 315:2, 315:7 Action [1] - 17:12 actions [3] - 12:10, 40:6, 203:14 actively [1] - 76:22 acts [3] - 78:1, 284:6, 308:17 actual [3] - 150:20, 151:13, 199:23 add [16] - 23:16, 51:20, 76:14, 161:11, 166:15, 167:20, 167:21, 168:27, 171:26, 193:9, 194:16, 222:3, 294:21, 303:8, 307:27, 309:19 added [7] - 65:3, 178:10, 190:4, 190:9, 191:15, 280:17, 307:13 ADDENDA [1] - 7:13 addenda [2] - 136:21, 138:20 addendum [2] - 60:13, 60:17 adding [4] - 65:8, 70:13, 210:2, 210:4</p>
	4		7	
		<p>7 [1] - 74:3 70 [1] - 106:4 70% [1] - 220:27 70) [1] - 263:13 71 [1] - 7:6 716 [2] - 37:13, 37:15 722 [1] - 37:14 75 [1] - 35:13 78 [1] - 7:16 7th [2] - 11:9, 11:10</p>	8	
		<p>8 [3] - 1:5, 4:4, 168:5 8.74 [1] - 91:9 80 [1] - 106:4 81 [1] - 6:12 82 [2] - 6:15, 7:18 83 [1] - 6:18 84 [1] - 6:20 87 [1] - 6:21 8th [2] - 1:12, 8:6</p>		
			9	
		<p>9 [5] - 167:20, 167:26, 168:7, 168:12, 172:27 90 [6] - 149:26, 212:22, 268:25, 269:3, 269:4, 270:1 90% [1] - 260:28 91 [1] - 7:19 911 [1] - 112:23 92 [1] - 6:24 98 [1] - 85:23</p>		
		A		
		<p>A-1 [1] - 8:21 a-1 [2] - 4:4, 8:13 a.m [5] - 144:22, 144:24, 153:9, 153:11, 215:17 abandoned [1] - 111:7</p>		
	5			
		<p>5% [1] - 219:26 5%) [1] - 219:27 500 [1] - 88:26 52 [1] - 6:8 560 [1] - 65:21 58 [1] - 6:10 59 [1] - 263:11</p>		
	6			
		<p>6 [5] - 74:6, 87:9, 224:12, 224:17, 224:19</p>		
<p>3 [9] - 12:16, 74:5, 152:4, 161:25, 217:20, 218:10, 282:6, 282:11, 314:25 3,000 [1] - 197:12 3.1 [1] - 45:6 30 [7] - 12:11, 15:28, 54:5, 65:12, 66:13, 165:23, 264:27 300 [6] - 7:14, 60:27, 61:3, 66:14, 88:26, 159:6 300,000 [3] - 42:27, 197:10, 197:16 30th [2] - 142:20, 143:2 31 [1] - 82:10 314 [1] - 7:26 32 [9] - 6:9, 58:23, 59:1, 78:18, 79:8, 79:12, 79:13, 85:23 32..... [1] - 7:16</p>				

<p>addition [1] - 168:20 additional [12] - 10:19, 11:7, 46:14, 46:15, 54:17, 61:20, 69:11, 86:13, 142:25, 185:16, 289:22, 306:9 additionally [1] - 73:8 address [18] - 28:19, 69:12, 88:7, 118:12, 153:20, 155:13, 194:16, 198:23, 199:12, 199:26, 199:27, 201:26, 213:6, 216:5, 216:12, 258:8, 288:28, 309:15 addressed [3] - 160:13, 208:9, 213:9 ADEM [4] - 6:17, 83:12, 83:18, 144:3 ADEM's [2] - 142:1, 143:5 ADF [1] - 75:12 ADHESIVE [1] - 16:13 Adhesive [1] - 4:24 adhesives [1] - 16:18 ADJACENT [1] - 43:10 Adjacent [1] - 6:6 adjacent [4] - 43:15, 48:19, 87:24, 88:5 adjoining [1] - 92:9 adjourn [1] - 315:8 adjourned [1] - 316:11 adjudicated [1] - 74:13 adjustments [1] - 33:26 Adjustments [1] - 88:3 administered [2] - 120:22, 166:1 administerial [2] - 68:27, 70:2 administration [3] - 14:18, 15:7, 251:8 Administration [6] - 2:9, 4:16, 4:19, 240:17, 248:15, 251:6 ADMINISTRATION [3] - 7:3, 14:12, 15:1 administrative [3] - 242:27, 250:26, 300:13 Administrative [5] - 2:26, 247:5, 250:10, 250:20, 309:19 administratively [1] - 72:3</p>	<p>Administrator [112] - 2:9, 71:23, 72:5, 126:19, 146:8, 153:27, 154:7, 196:8, 196:20, 198:22, 199:1, 200:7, 207:18, 211:15, 211:18, 211:19, 213:7, 240:13, 241:6, 242:7, 242:14, 242:25, 243:13, 243:14, 244:17, 245:17, 245:27, 246:11, 246:20, 248:16, 248:20, 250:15, 250:16, 251:7, 252:11, 255:6, 256:17, 257:8, 257:12, 258:14, 258:21, 258:25, 259:4, 259:17, 259:24, 260:2, 260:14, 260:19, 262:16, 263:3, 265:7, 265:16, 265:17, 265:20, 266:10, 270:11, 276:7, 283:19, 289:4, 289:15, 291:14, 292:12, 293:4, 293:16, 295:9, 295:15, 296:6, 296:10, 296:11, 296:13, 296:16, 297:25, 297:27, 298:7, 298:21, 298:24, 299:17, 299:27, 300:6, 300:26, 301:5, 301:18, 301:22, 302:7, 302:9, 302:24, 303:12, 303:23, 303:24, 303:26, 303:28, 305:13, 305:27, 306:10, 306:26, 307:2, 307:3, 307:10, 307:14, 307:27, 308:4, 308:7, 308:14, 308:16, 308:17, 308:22, 309:8, 309:14 Administrator's [13] - 247:11, 247:14, 252:6, 252:8, 258:20, 261:13, 261:23, 289:18, 296:17, 300:22,</p>	<p>304:20, 305:4, 310:22 Administrators [3] - 250:11, 251:10, 265:26 admit [1] - 221:27 adopt [1] - 312:7 adopted [4] - 161:19, 162:10, 173:16, 182:15 advances [1] - 206:26 advantage [1] - 105:25 advertise [2] - 80:7, 289:10 ADVERTISE [1] - 39:25 Advertise [1] - 5:27 advertised [4] - 40:4, 85:14, 87:21, 284:7 advertisement [1] - 141:20 advertising [7] - 176:16, 178:27, 179:2, 181:11, 301:5, 306:26, 308:22 advise [1] - 242:2 advisement [1] - 131:11 advocate [2] - 274:10, 274:18 AE [3] - 174:1, 175:25, 175:27 affect [2] - 148:9, 269:5 affirmatively [105] - 25:22, 25:27, 26:16, 26:21, 29:4, 37:24, 42:14, 44:26, 45:18, 47:2, 54:14, 55:19, 56:26, 57:5, 57:27, 58:21, 61:13, 68:13, 69:2, 69:28, 70:26, 81:21, 88:16, 88:21, 89:4, 89:8, 89:13, 89:21, 90:1, 94:4, 94:9, 94:21, 94:26, 95:5, 95:10, 95:20, 96:2, 96:12, 96:23, 97:18, 98:2, 98:22, 100:15, 100:27, 105:15, 106:2, 106:25, 107:4, 107:11, 114:28, 121:27, 122:6, 125:27, 126:25, 128:25, 129:8, 130:15, 143:14, 155:15, 158:16,</p>	<p>158:23, 158:27, 160:2, 160:18, 161:8, 164:7, 166:4, 167:16, 167:24, 168:24, 169:10, 169:15, 169:19, 170:2, 170:9, 171:2, 171:18, 172:1, 172:25, 174:5, 176:6, 179:27, 182:17, 182:22, 184:5, 184:7, 190:23, 191:3, 192:3, 213:15, 213:17, 219:19, 225:15, 230:17, 239:16, 246:24, 248:7, 250:13, 283:27, 284:3, 285:6, 291:23, 307:8, 309:11, 313:12 afraid [2] - 270:15, 295:14 Age [1] - 169:7 age [4] - 169:25, 170:7, 170:13, 170:17 agency [7] - 64:11, 65:6, 65:24, 65:25, 66:8, 66:10, 120:21 Agency [3] - 3:5, 94:19, 98:11 agenda [30] - 16:2, 18:1, 18:13, 18:23, 20:17, 21:6, 30:12, 32:5, 37:13, 57:11, 68:1, 86:12, 137:28, 140:10, 255:28, 267:24, 268:9, 268:11, 268:16, 277:28, 278:4, 278:5, 280:18, 280:22, 281:26, 281:28, 282:2, 287:17, 312:25 AGING [2] - 6:22, 132:24 Aging [5] - 3:6, 76:3, 93:1, 94:19, 98:11 Aging..... [1] - 6:23 ago [10] - 9:10, 9:16, 40:13, 65:9, 65:15, 77:22, 84:17, 93:11, 255:5, 294:7 agree [16] - 19:11, 147:26, 150:8, 175:16, 176:12, 177:10, 179:9,</p>	<p>180:9, 198:22, 203:3, 209:13, 211:2, 242:4, 268:11, 275:14, 289:19 agreed [4] - 256:28, 257:6, 275:18, 283:10 Agreement [1] - 6:17 AGREEMENT [2] - 58:24, 83:13 agreement [9] - 34:8, 34:12, 35:6, 59:2, 66:25, 102:9, 189:16, 281:25, 289:8 Agreement..... .. [1] - 6:10 agreements [1] - 126:21 agrees [1] - 257:12 ahead [9] - 44:5, 48:9, 145:1, 145:2, 153:16, 155:22, 182:11, 258:15, 286:5 AHEAD [1] - 80:15 aid [1] - 207:12 aided [1] - 317:8 ain't [3] - 145:19, 198:1, 239:18 air [1] - 174:18 ALABAMA [8] - 14:12, 15:1, 15:18, 34:26, 37:2, 83:12, 138:19, 317:3 Alabama [26] - 1:15, 5:21, 5:25, 6:17, 24:22, 34:13, 37:8, 37:11, 38:2, 41:4, 53:28, 54:6, 65:27, 72:14, 76:5, 83:18, 100:17, 102:15, 151:26, 169:17, 169:23, 187:17, 188:13, 291:4, 312:9, 314:17 Alabama..... [3] - 4:17, 4:20, 4:22 Alabama..... [1] - 7:24 all/do [1] - 263:28 Allegiance [1] - 8:11 allow [8] - 69:3, 87:10, 91:12, 105:3, 137:18, 147:4, 182:5 allowed [3] - 99:13, 147:27, 160:4</p>
--	--	---	--	--

<p>allowing [2] - 139:20, 284:7</p> <p>allows [2] - 26:2, 137:11</p> <p>almost [4] - 221:3, 232:14, 234:19</p> <p>alone [3] - 75:8, 285:2, 285:4</p> <p>already-thought-through [1] - 123:23</p> <p>ALSO [2] - 2:8, 3:3</p> <p>AltaPointe [2] - 65:10, 65:16</p> <p>amended [1] - 68:27</p> <p>amending [1] - 70:2</p> <p>America [2] - 7:21, 64:27</p> <p>AMERICA [1] - 136:18</p> <p>amount [19] - 15:26, 21:23, 27:17, 34:14, 35:10, 36:4, 36:8, 84:8, 84:13, 174:16, 177:5, 177:15, 177:19, 178:16, 185:28, 186:9, 199:23, 201:10, 241:23</p> <p>amounts [2] - 186:6, 204:20</p> <p>AND [13] - 6:19, 10:7, 14:10, 14:27, 15:16, 16:13, 20:27, 34:24, 35:22, 52:20, 78:18, 82:2</p> <p>Andrews [1] - 1:15</p> <p>ANDREWS [1] - 317:24</p> <p>animal [4] - 262:19, 264:16, 264:19, 265:3</p> <p>Annex [2] - 1:14, 7:21</p> <p>ANNEX [1] - 136:17</p> <p>announcement [1] - 80:27</p> <p>annual [9] - 12:8, 12:15, 18:1, 18:12, 18:23, 20:17, 21:5, 71:17, 83:17</p> <p>Annual [2] - 4:13, 7:6</p> <p>ANNUAL [2] - 12:5, 71:12</p> <p>annually [1] - 41:6</p> <p>annuals [1] - 183:25</p> <p>answer [12] - 9:24, 27:23, 68:2, 68:5, 105:28, 148:9, 187:19, 260:24, 278:23, 279:15, 279:19, 307:12</p> <p>answered [3] - 72:6,</p>	<p>116:15, 169:3</p> <p>anticipated [2] - 152:10, 315:4</p> <p>anytime [1] - 311:12</p> <p>anyway [10] - 9:21, 38:5, 81:4, 96:20, 145:17, 166:18, 207:12, 214:1, 280:17, 315:8</p> <p>anywise [1] - 317:13</p> <p>apart [1] - 89:6</p> <p>apartment [2] - 91:21</p> <p>appeal [1] - 295:23</p> <p>appear [1] - 295:25</p> <p>appearance [1] - 58:2</p> <p>APPEARANCES [1] - 3:1</p> <p>applicable [1] - 155:2</p> <p>applicant [2] - 87:12, 91:11</p> <p>applicants [1] - 157:1</p> <p>applies [1] - 177:21</p> <p>apply [10] - 158:4, 259:8, 259:12, 259:18, 261:24, 284:8, 298:25, 299:21, 307:28</p> <p>applying [2] - 176:11, 259:16</p> <p>appoint [3] - 154:21, 260:17, 303:5</p> <p>appointed [44] - 72:2, 96:9, 146:7, 146:13, 153:20, 153:23, 153:25, 154:12, 154:14, 154:20, 168:13, 168:15, 174:1, 175:7, 176:3, 187:18, 188:4, 188:23, 189:7, 191:14, 191:17, 192:22, 192:25, 193:20, 193:24, 196:6, 205:19, 206:5, 232:25, 245:8, 245:17, 249:3, 252:10, 255:9, 284:15, 290:12, 292:10, 297:17, 299:20, 299:21, 299:28, 300:4, 312:12</p> <p>APPOINTED [1] - 144:26</p> <p>Appointed [1] - 7:9</p> <p>appointed's [7] - 163:17, 193:28, 197:6, 198:4, 198:6, 198:7, 312:3</p> <p>appointing [2] -</p>	<p>154:17, 258:13</p> <p>appraisal [4] - 141:28, 143:17, 143:20, 143:21</p> <p>Appraiser [1] - 2:18</p> <p>appraisers [3] - 9:7, 9:11, 9:13</p> <p>appreciate [9] - 8:24, 57:11, 71:15, 109:11, 188:10, 218:19, 233:28, 239:5, 287:1</p> <p>approach [1] - 112:21</p> <p>approached [2] - 137:8, 137:9</p> <p>appropriate [7] - 59:11, 102:13, 102:27, 152:13, 199:6, 208:14, 315:4</p> <p>appropriated [1] - 27:18</p> <p>Approval [1] - 7:23</p> <p>approval [17] - 18:2, 18:13, 18:24, 20:18, 21:6, 22:28, 54:16, 57:17, 67:17, 67:20, 86:8, 87:23, 88:1, 90:19, 91:27, 91:28, 184:2</p> <p>APPROVAL [1] - 138:18</p> <p>approve [13] - 35:5, 36:1, 36:7, 37:10, 41:2, 58:13, 61:16, 94:22, 183:28, 184:19, 184:21, 184:28, 212:3</p> <p>approved [7] - 85:28, 86:3, 120:21, 135:26, 158:24, 175:8, 250:23</p> <p>approves [1] - 53:17</p> <p>approving [1] - 66:16</p> <p>April [2] - 82:18, 82:21</p> <p>arbitrary [2] - 174:16, 175:3</p> <p>ARC [1] - 64:26</p> <p>architect [2] - 22:27, 30:16</p> <p>Architectural [1] - 5:16</p> <p>ARCHITECTURAL [1] - 22:17</p> <p>architectural [3] - 22:22, 22:26, 32:5</p> <p>AREA [1] - 60:27</p> <p>Area [3] - 7:14, 61:3, 98:11</p> <p>area [24] - 24:24, 28:8, 36:11, 45:1, 46:14,</p>	<p>46:16, 46:18, 46:21, 46:24, 49:21, 50:21, 53:2, 53:6, 53:15, 73:23, 74:28, 76:15, 94:19, 95:12, 103:18, 103:19, 103:21, 103:25, 124:6</p> <p>areas [4] - 56:14, 250:28, 251:1, 292:17</p> <p>argue [1] - 285:18</p> <p>argument [2] - 257:20, 287:11</p> <p>arisen [1] - 173:11</p> <p>armed [1] - 80:20</p> <p>arose [1] - 153:17</p> <p>arrange [1] - 126:20</p> <p>arrangement [1] - 199:8</p> <p>article [1] - 262:8</p> <p>articles [1] - 70:3</p> <p>Articles [1] - 68:27</p> <p>assault [1] - 9:9</p> <p>asset [1] - 93:14</p> <p>assist [16] - 72:3, 72:23, 76:3, 76:6, 76:8, 76:28, 118:21, 248:24, 300:25, 302:4, 302:24, 303:12, 303:25, 305:26, 306:9, 308:13</p> <p>assistance [2] - 66:4, 74:11</p> <p>Assistant [59] - 2:20, 211:15, 211:19, 243:13, 243:14, 244:2, 244:4, 244:6, 244:12, 244:15, 244:17, 244:22, 245:6, 245:25, 246:10, 246:20, 246:21, 246:23, 246:26, 247:5, 248:13, 248:15, 248:16, 248:20, 249:7, 249:16, 249:22, 253:15, 263:3, 265:11, 265:17, 266:11, 289:13, 289:15, 290:10, 290:16, 296:8, 296:9, 296:10, 296:12, 297:27, 298:4, 298:20, 299:16, 300:9, 300:21, 301:15, 301:21, 302:6, 302:9,</p>	<p>304:20, 305:13, 307:2, 307:3, 308:4, 308:16, 309:13</p> <p>assistant [2] - 296:7, 300:7</p> <p>assisted [1] - 76:7</p> <p>associated [2] - 140:17, 196:25</p> <p>Association [2] - 73:11, 76:24</p> <p>assume [1] - 274:18</p> <p>assuming [2] - 147:21, 275:14</p> <p>assurance [1] - 203:20</p> <p>AT [7] - 14:11, 14:28, 15:17, 34:25, 37:3, 138:18, 138:19</p> <p>at-will [1] - 189:22</p> <p>attached [9] - 12:20, 14:20, 15:9, 16:22, 17:13, 41:3, 57:10, 138:26, 312:15</p> <p>attention [3] - 47:27, 78:25, 289:18</p> <p>attorney [10] - 119:9, 126:18, 145:5, 146:2, 152:5, 266:13, 266:17, 266:18, 290:5, 314:26</p> <p>ATTORNEY [370] - 35:23, 53:20, 53:23, 53:26, 54:2, 54:22, 54:25, 55:2, 55:6, 55:9, 55:13, 55:18, 55:25, 55:28, 56:7, 56:11, 56:17, 57:23, 57:28, 58:5, 58:10, 59:5, 62:23, 62:27, 63:8, 63:12, 63:21, 68:3, 68:6, 68:10, 68:14, 68:20, 68:23, 69:3, 69:7, 69:11, 69:16, 69:19, 69:21, 69:23, 70:1, 70:5, 102:10, 102:20, 113:21, 113:24, 114:4, 114:9, 114:14, 114:18, 114:20, 114:25, 115:1, 115:5, 115:8, 115:13, 115:15, 115:21, 115:24, 116:2, 116:6, 116:9, 116:23, 116:26, 117:11, 117:16, 117:20, 117:25, 117:28, 118:2, 118:11, 119:20,</p>
---	--	--	---	--

119:24, 119:28,
120:7, 120:16,
120:19, 120:27,
121:4, 122:9,
122:12, 122:27,
123:4, 132:11,
132:14, 132:19,
146:3, 147:1, 147:4,
147:10, 147:17,
147:19, 147:26,
148:1, 148:6,
148:13, 148:16,
148:19, 148:23,
149:6, 149:9,
149:15, 149:22,
150:12, 150:22,
150:25, 151:2,
151:6, 151:10,
151:14, 151:20,
151:25, 153:13,
153:17, 154:6,
158:10, 158:17,
158:24, 158:28,
159:2, 159:5,
159:13, 159:16,
159:20, 159:22,
160:3, 160:19,
160:27, 161:3,
161:5, 161:9,
161:14, 161:18,
161:22, 162:11,
162:13, 162:15,
162:18, 162:21,
162:25, 162:28,
163:3, 163:14,
164:6, 164:10,
164:24, 164:27,
165:10, 165:16,
165:21, 165:28,
166:16, 166:20,
167:10, 167:19,
167:25, 168:5,
168:11, 168:25,
169:2, 169:8,
169:11, 169:16,
169:20, 170:3,
170:6, 170:10,
170:23, 170:25,
170:28, 171:3,
171:11, 171:19,
171:28, 172:4,
172:12, 173:8,
173:18, 173:22,
173:25, 175:6,
175:11, 175:14,
175:24, 175:26,
175:28, 176:7,
176:19, 176:24,
179:10, 179:15,
179:22, 179:28,
180:6, 180:13,

180:17, 180:19,
180:22, 180:25,
181:2, 181:5,
182:13, 182:18,
182:23, 183:6,
183:10, 183:15,
183:17, 183:19,
183:21, 184:8,
184:13, 184:18,
184:22, 184:25,
185:3, 185:5,
185:12, 185:26,
186:1, 186:5,
186:10, 186:14,
186:17, 186:25,
193:7, 193:12,
194:6, 194:12,
197:2, 198:11,
201:12, 201:15,
205:10, 205:13,
205:24, 205:27,
206:5, 206:10,
206:14, 206:18,
206:21, 206:23,
207:3, 207:5, 207:8,
207:11, 207:22,
207:25, 207:27,
208:2, 208:21,
212:9, 212:12,
212:17, 212:21,
212:28, 213:18,
214:3, 214:7,
214:17, 214:21,
216:6, 216:11,
226:1, 227:5, 227:9,
227:13, 242:3,
242:9, 242:12,
242:17, 249:6,
249:10, 249:13,
249:18, 249:21,
249:25, 249:27,
250:2, 256:21,
256:26, 257:5,
257:15, 258:2,
258:6, 258:9,
258:12, 258:18,
260:8, 260:12,
260:15, 260:19,
268:10, 268:13,
268:20, 269:14,
269:18, 269:21,
269:23, 269:26,
270:7, 272:28,
275:2, 275:7, 275:9,
275:12, 281:8,
281:14, 281:20,
281:23, 282:20,
283:20, 283:28,
284:4, 284:24,
285:7, 286:1,
286:20, 294:21,

296:26, 297:2,
297:10, 297:12,
298:9, 298:15,
299:18, 300:8,
300:14, 300:17,
300:20, 300:23,
300:28, 301:3,
301:8, 302:3, 302:6,
302:16, 302:20,
302:25, 303:10,
303:20, 304:16,
304:26, 305:3,
305:20, 305:24,
306:1, 306:21,
306:24, 308:12,
308:20, 308:23,
308:26, 309:3,
309:5, 309:12,
310:23, 310:26,
310:28, 311:4,
311:27, 312:1,
312:8, 312:18,
312:21, 313:1,
313:15, 314:15,
315:16
Attorney [7] - 3:8,
5:23, 63:26, 68:15,
69:8, 154:25, 265:23
attorney's [2] -
131:11, 152:15
Attorney's [4] - 35:27,
74:12, 77:1, 77:4
attract [2] - 178:14,
179:25
Auburn [1] - 24:22
AUCTION [4] - 40:26,
82:26
Auction [4] - 6:4, 6:4,
7:17, 41:2
auCTION [3] - 41:2,
41:4, 83:1
Auction.....
..... [1] - 7:18
authority [6] - 111:17,
198:9, 198:13,
295:16, 295:18,
295:24
authorize [12] - 12:21,
14:21, 15:10, 16:1,
21:26, 22:25, 34:7,
35:5, 36:2, 36:7,
40:6, 40:9
authorizes [1] -
312:13
authorizing [1] -
140:11
AUTCROSS [1] -
136:19
Autocross..... [1]
- 7:21

AUTOMATED [1] -
20:27
Automated [1] - 5:12
automated [1] - 21:3
autonomous [1] -
250:6
autopsies [2] - 73:24,
75:24
autopsy [5] - 73:6,
73:22, 74:7, 74:22,
75:23
availability [1] - 208:3
available [2] - 9:19,
120:9
Avenue [2] - 7:24,
138:22
avenue [2] - 110:8,
123:6
AVENUE [1] - 138:19
average [5] - 216:27,
222:6, 223:24,
234:24, 238:14
avoid [3] - 58:1,
193:15
award [14] - 11:22,
12:19, 12:20, 14:19,
14:20, 15:8, 15:9,
15:25, 16:20, 16:22,
17:9, 17:13, 21:22,
161:28
awarded [3] - 10:21,
11:9, 12:24
aware [1] - 80:3
awful [1] - 98:4
awkward [6] - 192:24,
206:13, 206:23,
206:26, 206:27,
207:2
aye [4] - 152:28,
153:1, 315:28, 316:1
ayes [1] - 153:6

B

B's [1] - 257:2
b-1 [2] - 4:6, 10:6
B-1 [2] - 91:11, 91:23
b-10 [2] - 5:4, 17:22
b-11 [2] - 5:6, 18:8
b-12 [2] - 5:8, 18:18
b-13 [2] - 5:10, 20:10
b-14 [2] - 5:11, 20:26
b-15 [2] - 5:14, 21:14
b-16 [2] - 5:16, 22:17
b-17 [2] - 5:18, 33:28
b-18 [2] - 5:20, 34:24
b-19 [2] - 5:22, 35:22
B-2 [1] - 85:10
b-2 [2] - 4:9, 10:28

b-3 [2] - 4:11, 11:17
B-4 [1] - 87:18
b-4 [2] - 4:13, 12:5
b-5 [2] - 4:15, 14:10
b-6 [2] - 4:18, 14:27
b-7 [2] - 4:21, 15:16
b-8 [2] - 4:23, 16:12
b-9 [2] - 4:25, 17:2
background [2] -
45:16, 263:10
backup [2] - 296:13,
298:4
backwards [1] - 133:1
backyard [1] - 90:10
bad [8] - 61:2, 80:26,
108:1, 145:12,
145:15, 264:10,
282:19, 296:27
balances [1] - 251:20
BALDWIN [31] - 1:3,
8:13, 10:7, 11:1,
11:18, 12:6, 14:11,
14:28, 15:17, 16:13,
17:3, 17:23, 18:9,
18:19, 20:11, 20:27,
21:15, 22:18, 33:28,
34:25, 34:26, 35:23,
71:12, 81:11, 82:3,
132:24, 136:17,
138:17, 138:18,
139:9, 317:4
Baldwin [91] - 1:13,
4:4, 4:7, 4:9, 4:12,
4:14, 4:16, 4:19,
4:22, 4:24, 4:26, 5:4,
5:6, 5:8, 5:10, 5:12,
5:15, 5:16, 5:18,
5:20, 5:21, 5:23,
6:12, 6:14, 6:23, 7:6,
7:7, 7:20, 7:22, 7:23,
8:4, 12:13, 14:17,
15:6, 15:23, 16:18,
17:28, 18:22, 21:3,
22:23, 34:5, 35:3,
35:8, 37:18, 63:26,
64:16, 64:18, 64:27,
64:28, 65:17, 66:3,
66:6, 66:11, 67:6,
70:11, 70:13, 71:20,
71:26, 71:27, 72:17,
73:19, 76:18, 77:14,
83:17, 93:1, 110:25,
128:22, 139:15,
144:23, 153:8,
153:10, 153:20,
159:26, 161:19,
161:25, 162:5,
164:14, 164:16,
168:17, 169:27,
170:14, 187:2,

215:16, 215:18, 221:4, 251:25, 279:26, 282:28, 294:1, 294:18, 316:11 BALL [293] - 9:27, 10:13, 10:25, 11:11, 11:27, 15:11, 16:25, 18:3, 18:14, 19:10, 19:12, 19:23, 20:5, 20:22, 21:9, 22:5, 23:15, 23:23, 24:12, 29:14, 29:18, 29:23, 29:26, 29:28, 30:4, 30:8, 30:11, 30:19, 30:28, 31:3, 32:24, 32:27, 33:2, 33:20, 34:20, 35:18, 36:28, 38:7, 41:21, 59:17, 59:23, 59:27, 60:12, 60:18, 60:22, 62:8, 78:8, 81:15, 81:25, 84:2, 86:20, 86:28, 90:23, 101:15, 101:19, 101:23, 105:19, 105:22, 106:1, 106:5, 108:9, 110:27, 111:4, 111:27, 112:6, 112:9, 112:28, 113:3, 118:19, 118:28, 119:2, 119:8, 120:12, 120:14, 121:10, 121:14, 121:20, 121:24, 121:28, 122:3, 122:7, 123:2, 125:3, 126:17, 126:26, 127:1, 127:8, 127:18, 127:22, 127:26, 129:2, 131:10, 131:24, 131:26, 132:2, 132:5, 132:8, 132:13, 132:15, 132:21, 134:2, 134:27, 135:6, 135:10, 136:4, 136:12, 139:2, 144:17, 144:20, 146:1, 146:4, 146:24, 147:3, 147:8, 149:23, 152:17, 163:23, 163:27, 165:8, 165:12, 165:27, 166:5, 171:23, 171:25, 172:2, 184:4, 199:18, 200:1, 200:25, 201:1, 201:8,	201:20, 203:28, 204:6, 205:22, 207:20, 208:25, 209:1, 209:4, 211:13, 211:21, 211:28, 212:11, 212:19, 213:16, 214:11, 214:14, 215:26, 216:2, 216:10, 216:14, 216:18, 216:23, 217:7, 217:17, 217:23, 218:12, 218:16, 218:21, 221:11, 221:22, 223:7, 225:10, 225:14, 225:17, 225:22, 225:27, 226:16, 226:23, 227:18, 228:2, 228:5, 228:22, 229:6, 229:11, 230:18, 230:25, 231:16, 231:20, 232:20, 233:7, 233:20, 234:2, 234:6, 234:12, 234:28, 236:1, 236:8, 236:11, 237:1, 237:4, 237:10, 237:14, 237:18, 238:3, 239:2, 239:11, 239:17, 239:23, 239:27, 240:21, 241:2, 241:14, 241:16, 241:20, 241:27, 242:8, 242:11, 242:16, 245:28, 249:8, 251:28, 254:20, 254:24, 255:2, 255:10, 255:14, 255:26, 257:3, 258:1, 258:17, 258:19, 258:23, 259:5, 260:20, 260:25, 261:12, 263:1, 263:7, 263:26, 267:19, 267:22, 267:28, 268:3, 268:6, 268:12, 268:27, 269:2, 269:9, 270:4, 270:12, 270:16, 272:24, 273:1, 273:15, 273:19, 273:23, 274:23, 275:25, 276:1, 276:5, 276:16, 278:3, 278:12,	281:4, 281:12, 281:15, 282:8, 282:14, 282:18, 282:25, 283:12, 288:6, 288:16, 293:24, 294:16, 299:15, 300:7, 302:8, 302:13, 302:17, 302:22, 303:2, 303:6, 303:11, 304:5, 304:8, 304:11, 304:14, 304:23, 305:1, 305:14, 305:28, 307:5, 307:9, 308:8, 309:25, 310:3, 310:7, 310:11, 310:15, 310:19, 315:18 Ball [14] - 2:7, 8:7, 8:10, 102:26, 118:17, 132:19, 152:23, 207:15, 213:5, 225:6, 257:23, 265:9, 285:12, 315:24 BALLARD [3] - 232:10, 232:15, 233:28 Ballard [3] - 2:28, 231:17, 231:19 Ballard's [1] - 216:9 band [1] - 113:15 bang [1] - 258:18 Bank [2] - 26:18, 76:5 Barbara [1] - 96:4 Barn [2] - 4:22, 15:24 BARN [1] - 15:17 barrier [1] - 48:27 base [2] - 15:26, 176:18 based [20] - 84:10, 123:10, 141:13, 160:8, 163:21, 175:19, 176:20, 178:21, 179:7, 179:23, 220:2, 220:11, 221:16, 221:17, 233:24, 242:18, 272:27, 281:15, 294:9, 298:12 basic [1] - 108:22 basis [3] - 174:19, 177:8, 241:22 bat [1] - 116:13 bathroom [1] - 290:3 battle [1] - 285:19 battling [1] - 43:26	BAY [5] - 14:12, 15:1, 15:18, 34:25, 138:19 bay [1] - 292:8 Bay [20] - 4:16, 4:19, 4:22, 5:21, 7:24, 14:18, 15:7, 15:24, 35:4, 35:9, 35:28, 82:11, 105:24, 106:7, 106:26, 109:22, 113:13, 114:22, 115:16, 131:1 BCP [3] - 5:14, 21:14, 21:20 became [6] - 93:15, 196:6, 196:9, 241:5, 245:25, 248:27 become [5] - 53:5, 64:22, 182:27, 188:23, 252:9 becomes [3] - 185:8, 185:11, 284:5 becoming [1] - 252:6 BEFORE [1] - 1:2 beg [1] - 236:19 begin [3] - 12:18, 207:28, 213:24 beginning [6] - 183:2, 184:11, 199:22, 229:28, 235:17, 245:19 begs [1] - 297:3 behalf [1] - 43:17 behaving [1] - 192:28 behind [6] - 56:16, 217:11, 218:1, 235:5, 236:6, 236:7 Belforest [1] - 91:21 belly [3] - 261:20, 261:22, 263:28 belong [1] - 54:12 belongs [2] - 53:6, 53:11 below [2] - 49:4, 224:6 bend [1] - 242:19 beneficial [2] - 123:8, 189:21 benefit [6] - 68:16, 69:24, 70:1, 95:16, 159:26, 160:21 benefits [10] - 158:20, 160:23, 160:24, 163:11, 164:17, 164:19, 165:1, 168:16, 168:22, 169:12 bereaved [1] - 72:23 berm [6] - 46:20, 46:26, 47:4, 47:5, 47:13, 47:15	bermed [1] - 46:25 beside [1] - 70:28 best [15] - 76:25, 76:26, 93:20, 109:13, 143:11, 143:23, 143:26, 143:28, 261:26, 261:27, 290:8, 290:9, 291:25, 292:13, 304:2 better [10] - 23:20, 32:11, 58:5, 59:2, 91:25, 117:21, 134:23, 264:22, 309:1 between [15] - 12:13, 13:23, 55:2, 79:23, 83:17, 91:24, 94:1, 117:7, 129:11, 208:28, 226:8, 281:25, 295:5, 311:19, 315:13 Beverly [1] - 3:15 beware [1] - 107:21 beyond [1] - 187:12 bias [1] - 74:14 bid [22] - 9:16, 10:19, 10:21, 11:7, 11:22, 12:19, 12:24, 13:27, 14:19, 15:8, 15:25, 15:26, 16:20, 17:9, 18:1, 18:12, 18:23, 20:17, 21:5, 21:22, 21:23, 40:7 Bid [28] - 4:6, 4:9, 4:11, 4:13, 4:15, 4:18, 4:21, 4:23, 4:25, 5:4, 5:6, 5:8, 5:10, 5:11, 10:17, 11:5, 11:20, 12:8, 14:16, 15:5, 15:22, 16:17, 17:7, 17:27, 18:11, 18:21, 20:16, 21:2 BID [14] - 10:6, 10:28, 11:17, 12:5, 14:10, 14:27, 15:16, 16:12, 17:2, 17:22, 18:8, 18:18, 20:10, 20:26 bidder [5] - 11:22, 12:19, 14:19, 15:25, 21:22 bidders [2] - 16:21, 17:9 bids [3] - 29:9, 29:10, 29:21 big [17] - 54:10, 61:27, 64:19, 71:1, 73:15, 75:7, 76:1, 80:16, 105:2, 124:15,
--	---	---	---	---

124:16, 126:1, 178:9, 189:9, 200:16, 205:25 bigger [3] - 31:19, 200:16, 224:1 biggest [1] - 224:13 Bill [2] - 50:25, 51:15 bill [1] - 135:17 Billie [4] - 2:5, 279:26, 282:16, 282:28 BILLIE [538] - 10:1, 10:26, 11:14, 11:28, 14:25, 15:12, 16:10, 16:28, 17:17, 17:20, 18:6, 19:6, 19:11, 19:16, 19:20, 19:24, 20:1, 20:14, 20:21, 21:12, 27:16, 27:28, 28:5, 28:14, 28:22, 28:25, 29:1, 29:5, 29:8, 29:21, 29:24, 30:2, 30:6, 30:9, 30:18, 30:26, 31:1, 31:5, 31:9, 31:12, 31:16, 31:20, 31:23, 31:26, 32:10, 32:13, 32:17, 32:25, 33:13, 33:17, 33:24, 34:18, 35:17, 36:18, 40:22, 41:16, 41:22, 47:23, 54:28, 56:5, 56:8, 56:13, 56:22, 56:27, 58:15, 58:19, 59:14, 60:6, 61:19, 62:1, 62:13, 63:4, 64:1, 67:24, 67:28, 68:4, 68:9, 68:12, 68:22, 69:1, 69:6, 69:10, 69:15, 69:17, 69:20, 69:22, 69:27, 70:4, 70:15, 70:20, 70:27, 71:5, 71:8, 77:8, 78:10, 78:16, 80:22, 80:24, 81:26, 82:12, 83:10, 84:1, 86:24, 88:8, 88:11, 88:17, 88:22, 88:25, 89:1, 89:5, 89:9, 89:14, 89:22, 89:25, 90:2, 90:6, 90:13, 92:17, 98:6, 98:12, 103:28, 104:10, 105:6, 105:14, 119:16, 120:1, 120:4, 121:8, 121:12, 121:15, 121:22, 122:21, 122:24, 123:17, 123:20, 123:25, 124:1, 124:4, 124:10, 124:13,	124:18, 124:21, 124:25, 124:28, 125:5, 125:9, 125:11, 125:15, 126:15, 127:11, 127:16, 127:28, 128:3, 128:6, 128:10, 128:14, 128:17, 128:21, 128:27, 129:4, 129:9, 129:15, 129:19, 130:28, 131:20, 132:28, 133:4, 133:11, 133:13, 133:17, 133:21, 133:28, 134:26, 135:2, 135:22, 135:28, 136:13, 136:24, 136:28, 137:7, 137:22, 137:26, 138:4, 138:12, 138:28, 139:3, 139:7, 139:23, 141:8, 141:12, 142:3, 142:7, 142:11, 142:15, 142:19, 142:24, 143:1, 144:13, 145:14, 145:19, 145:28, 148:26, 150:18, 150:23, 150:26, 151:5, 151:8, 151:12, 151:17, 155:14, 155:25, 156:8, 156:13, 162:16, 162:19, 162:22, 162:27, 163:2, 164:18, 165:19, 166:9, 168:9, 168:23, 169:1, 169:3, 172:24, 172:28, 173:26, 174:6, 175:13, 176:22, 176:26, 177:2, 177:11, 177:17, 177:23, 178:4, 179:9, 180:23, 180:28, 181:8, 181:17, 181:24, 181:27, 182:3, 185:24, 185:27, 186:3, 186:7, 186:12, 186:16, 186:23, 186:27, 187:11, 188:27, 189:14, 190:5, 190:14, 190:18, 190:24, 190:28, 191:4,	191:23, 192:10, 194:4, 194:9, 195:4, 195:28, 196:13, 196:17, 196:26, 197:19, 197:23, 197:26, 198:5, 198:14, 198:16, 199:14, 199:20, 201:13, 201:17, 201:22, 201:28, 202:3, 202:7, 202:13, 202:16, 202:20, 202:25, 202:28, 203:7, 203:15, 203:23, 204:5, 204:7, 204:12, 204:15, 204:19, 204:23, 205:3, 205:7, 205:11, 205:26, 206:4, 206:8, 206:11, 206:20, 206:22, 207:1, 207:4, 207:6, 207:10, 209:6, 209:10, 212:7, 212:20, 212:24, 213:28, 214:5, 214:9, 214:12, 214:24, 214:26, 215:1, 215:4, 215:12, 215:27, 217:8, 217:19, 217:25, 218:2, 218:4, 218:8, 219:2, 219:7, 219:11, 220:1, 220:5, 222:8, 222:15, 222:20, 222:23, 222:26, 223:1, 223:5, 223:13, 223:21, 223:25, 224:14, 224:18, 224:23, 225:4, 225:16, 225:21, 225:25, 226:9, 226:13, 226:18, 226:21, 226:28, 227:17, 227:23, 228:7, 228:20, 228:27, 229:15, 229:18, 229:22, 230:1, 230:5, 231:1, 231:6, 231:14, 231:25, 232:1, 232:23, 232:27, 233:2, 233:15, 234:16, 234:26, 235:16, 235:27, 236:7, 236:10, 237:6, 237:27, 238:5,	238:9, 238:16, 238:22, 238:26, 239:6, 240:9, 240:18, 243:10, 243:17, 243:21, 243:24, 243:28, 244:3, 244:7, 244:18, 244:26, 245:1, 245:5, 245:22, 246:8, 246:14, 246:18, 246:25, 246:28, 247:7, 247:10, 247:17, 247:21, 247:24, 247:27, 248:12, 248:17, 248:21, 249:2, 249:12, 249:15, 249:24, 249:28, 250:24, 250:28, 251:24, 252:2, 252:25, 253:4, 253:10, 253:17, 253:23, 253:26, 254:2, 254:5, 254:10, 254:15, 254:22, 255:3, 255:12, 255:16, 255:24, 256:5, 256:19, 258:28, 259:7, 259:11, 259:20, 259:23, 259:26, 260:1, 260:5, 260:10, 260:13, 260:18, 266:8, 266:16, 266:23, 266:28, 267:7, 267:10, 267:13, 267:16, 267:21, 267:26, 268:2, 268:4, 268:18, 268:24, 268:28, 269:8, 269:11, 269:16, 269:19, 269:22, 269:24, 269:28, 270:5, 270:8, 283:3, 283:8, 283:14, 283:18, 285:5, 285:28, 286:4, 287:13, 287:23, 287:27, 288:2, 288:8, 288:12, 288:19, 289:5, 289:12, 289:24, 290:1, 290:22, 290:26, 291:2, 291:8, 291:12, 291:17, 291:22, 291:26, 292:1, 292:3, 292:19,	292:22, 292:26, 293:1, 293:9, 293:13, 293:20, 294:14, 294:17, 296:24, 296:28, 297:8, 299:7, 301:23, 305:8, 306:14, 306:18, 306:27, 307:15, 307:17, 308:6, 308:18, 308:24, 308:28, 309:10, 310:21, 316:4, 316:7 billie [1] - 283:6 billis [2] - 77:16, 135:19 binding [2] - 173:5, 173:6 bit [14] - 43:21, 43:25, 51:6, 70:16, 96:26, 98:8, 140:7, 145:22, 159:28, 263:8, 263:9, 263:15, 294:22, 294:24 bites [1] - 9:8 bits [1] - 248:3 Bituminous [1] - 4:24 BITUMINOUS [1] - 16:13 bituminous [1] - 16:18 blamed [1] - 233:16 blank [1] - 182:25 board [37] - 55:3, 58:1, 68:8, 68:17, 68:26, 70:17, 93:15, 94:15, 94:18, 95:3, 95:21, 97:20, 105:4, 105:10, 110:10, 116:28, 117:1, 117:2, 117:6, 117:8, 125:2, 125:6, 125:11, 125:12, 125:17, 126:1, 126:13, 129:24, 131:16, 131:17, 131:25, 216:13, 235:9, 256:27, 257:2 BOARD [3] - 14:28, 138:17, 138:18 Board [22] - 4:19, 7:22, 7:23, 15:6, 52:27, 53:8, 53:14, 53:19, 54:3, 54:11, 54:12, 55:16, 55:23, 56:6, 57:2, 58:14, 64:11, 88:3, 138:21, 197:17, 292:6, 292:7 Boards [2] - 188:12, 192:21 boards [1] - 80:7
---	---	--	---	--

BOAT [1] - 139:9	43:24, 47:24, 47:26	253:24, 254:3,	303:14, 313:13,	calculated [1] -
Boat [1] - 7:8	BRIDGE [1] - 21:14	254:8, 254:26,	313:18	235:18
boat [3] - 62:28,	bridge [4] - 21:20,	255:6, 256:17,	BUILDING [4] - 6:16,	calculation [6] -
143:16, 143:26	296:21, 301:1, 301:9	256:18, 257:1,	14:12, 15:1, 138:19	222:25, 222:27,
bodies [7] - 74:16,	briefly [5] - 44:5,	257:11, 258:13,	buildings [7] - 17:14,	223:2, 231:24,
74:21, 74:24, 74:26,	114:5, 147:6,	259:18, 259:21,	91:12, 91:19, 91:21,	233:24, 234:22
75:11, 75:28, 146:22	148:10, 148:13	259:27, 260:3,	91:22, 92:5, 124:12	cancel [8] - 141:2,
body [8] - 75:13,	bring [13] - 22:27,	260:14, 260:16,	built [5] - 23:9, 47:15,	167:28, 168:13,
75:14, 76:10, 150:2,	44:1, 47:26, 65:23,	261:2, 261:5,	91:22, 250:5, 265:21	212:18, 311:24,
152:9, 155:22,	71:16, 78:25, 147:5,	266:10, 267:17,	bullet [1] - 221:2	312:3, 312:6, 312:10
195:12, 315:1	184:9, 186:28,	270:10, 276:6,	bump [2] - 101:20,	candidate [1] - 134:19
boom [1] - 42:25	216:12, 224:9,	283:17, 283:19,	102:6	cannot [3] - 196:28,
born [1] - 67:6	235:2, 275:22	283:25, 285:1,	bumped [1] - 174:25	197:2, 315:7
bothered [1] - 299:6	bringing [1] - 265:7	285:4, 285:26,	bunch [2] - 23:8, 77:3	cap [1] - 102:25
bottom [4] - 168:10,	brings [5] - 65:5,	286:6, 286:21,	bundled [1] - 146:17	capabilities [1] -
235:26, 278:8	224:12, 224:17,	289:3, 290:12,	burial [1] - 76:4	211:8
bought [1] - 9:18	224:18, 281:26	292:10, 296:6,	BURN [1] - 37:2	capable [1] - 66:2
bounce [1] - 251:17	broke [2] - 220:24,	296:10, 296:12,	Burn [1] - 5:26	capacities [1] - 284:6
bound [5] - 173:3,	278:17	296:18, 297:4,	burn [2] - 37:9, 37:12	capacity [1] - 284:17
173:5, 187:25,	broken [10] - 112:3,	297:6, 297:15,	bus [4] - 106:23,	capitalized [1] -
187:27, 290:13	112:5, 113:2,	297:25, 298:6,	208:19, 222:14,	230:24
box [2] - 9:12, 217:12	209:26, 242:23,	298:21, 299:16,	299:1	card [1] - 250:19
Boykin [1] - 2:22	242:24, 243:4,	299:26, 300:3,	BUSHY [1] - 21:15	cards [2] - 115:14,
BOYKIN [2] - 91:8,	243:6, 243:8, 253:1	300:5, 300:12,	Bushy [1] - 5:14	251:2
92:14	brother's [1] - 228:15	301:21, 301:28,	Business [2] - 85:10,	CARE [2] - 136:8,
Boys [1] - 42:3	brought [8] - 30:24,	302:14, 302:18,	91:23	136:9
brad [1] - 53:18	65:4, 77:2, 157:8,	303:8, 304:1, 305:5,	business [5] - 17:10,	care [13] - 42:1, 97:24,
Brad [4] - 3:9, 57:24,	157:9, 211:14,	305:12, 305:25,	17:11, 22:9, 35:7,	99:4, 116:16,
58:5, 63:26	232:7, 307:2	306:3, 306:8, 307:1,	206:19	128:19, 128:21,
BRAD [2] - 53:20,	Brushy [1] - 21:21	307:4, 307:13,	businesses [4] -	199:15, 199:16,
53:23, 53:26, 54:2,	Bryant [1] - 82:28	308:3, 309:7,	87:11, 87:26, 87:27,	199:19, 233:17,
54:22, 54:25, 55:2,	Bryars [2] - 5:14,	309:13, 314:5	88:6	240:26, 263:16
55:6, 55:9, 55:13,	21:20	BUDGET/ PURCHASING [2] -	busy [2] - 75:3, 75:4	Care [1] - 7:12
55:18, 55:25, 55:28,	BRYARS [1] - 21:15	4:5, 5:3	buy [3] - 57:14,	careful [1] - 107:13
56:7, 56:11, 56:17,	BS [1] - 177:27	Budget/Purchasing	103:23, 110:14	Carpel [1] - 5:22
62:23, 62:27, 63:8,	bucked [1] - 265:6	[2] - 2:10, 3:19	buyers [1] - 87:13	CARPET [1] - 35:22
63:12, 63:21	bucket [2] - 247:15,	budgetary [1] - 41:8	buying [2] - 54:3,	carpet [2] - 35:26,
Brad's [1] - 54:9	247:18	budgeted [4] - 26:7,	226:22	36:11
brain [3] - 228:10,	buddy [1] - 231:17	27:25, 31:5, 32:2	BY [2] - 8:13, 82:2	carry [4] - 49:18,
228:11, 263:12	budget [18] - 26:2,	budgeting [1] - 253:19		49:20, 119:21, 251:6
brakes [1] - 111:5	26:6, 26:7, 27:18,	build [3] - 26:14,	C	carrying [2] - 249:3,
BRATS [2] - 109:22,	36:15, 75:5, 75:6,	50:22, 86:1	C-1 [1] - 37:7	251:7
114:21	154:2, 154:3, 154:5,	building [25] - 14:18,	c-1 [2] - 5:25, 37:2	CASE [4] - 64:6,
break [3] - 144:15,	154:6, 191:12,	15:7, 28:16, 101:27,	C-2 [1] - 39:28	84:28, 87:5, 91:3
256:8, 315:13	243:3, 254:9,	101:28, 102:1,	C-2 [2] - 5:27, 39:24	Case [4] - 6:20, 6:21,
breakdown [1] - 74:1	265:20, 281:7, 293:6	103:27, 104:12,	c-3 [2] - 6:4, 40:26	7:4, 7:19
Brewer [5] - 244:2,	Budget [95] - 146:11,	110:13, 110:17,	C-3 [1] - 41:1	case [17] - 64:17, 65:1,
245:2, 245:4,	154:7, 179:2, 190:6,	111:6, 119:6, 119:7,	C-4 [1] - 43:13	65:8, 65:13, 65:19,
248:13, 295:6	190:8, 191:10,	121:3, 121:17,	C-4 [2] - 6:5, 43:9	67:4, 73:5, 75:23,
Brian [12] - 2:21, 3:14,	195:11, 195:23,	122:13, 124:6,	C-5 [1] - 52:24	84:15, 85:7, 87:14,
59:20, 78:9, 78:12,	198:22, 198:28,	124:24, 125:20,	c-5 [2] - 6:7, 52:20	113:5, 154:16,
78:15, 175:20,	200:5, 200:21,	126:20, 137:8,	C-6 [1] - 58:28	174:10, 197:9,
228:6, 228:15,	207:18, 211:17,	137:12, 137:14,	c-6 [2] - 6:9, 58:23	261:25, 299:20
228:23, 230:15	211:18, 213:7,	138:22, 138:24	cab [3] - 61:7, 61:10	caseload [1] - 65:12
BRIAN [8] - 71:15,	239:19, 239:22,	Building [14] - 4:16,	cakes [1] - 19:21	cases [9] - 72:9,
77:10, 77:28, 78:5,	240:13, 240:16,	4:19, 7:23, 33:9,	Cal [3] - 159:28,	73:21, 73:28, 74:9,
228:9, 228:17,	240:24, 241:5,	33:11, 36:15, 146:9,	163:4, 165:13	74:13, 75:24, 75:28,
230:9, 230:17	241:22, 241:25,	153:27, 202:5,	calculate [1] - 41:8	76:2, 295:22
brick [1] - 48:20	242:5, 242:25,	235:13, 235:23,		catch [3] - 38:8, 183:3,
Bridge [4] - 5:14,	242:26, 253:16,			264:7

<p>categories [1] - 169:28</p> <p>category [1] - 16:20</p> <p>cats [1] - 27:12</p> <p>caught [2] - 55:11, 221:28</p> <p>caused [2] - 174:3, 174:7</p> <p>causing [2] - 46:26, 46:27</p> <p>cautious [2] - 25:18, 25:24</p> <p>caveat [1] - 261:14</p> <p>caviar [1] - 261:16</p> <p>Celena [2] - 2:22, 91:7</p> <p>CELENA [2] - 91:8, 92:14</p> <p>cement [1] - 48:20</p> <p>cemetery [1] - 56:15</p> <p>CENTER [4] - 14:11, 34:25, 64:6, 92:26</p> <p>Center [13] - 2:28, 4:16, 5:21, 7:4, 14:18, 35:3, 35:9, 64:12, 76:5, 93:9, 93:12, 106:23, 131:12</p> <p>center [33] - 50:4, 93:15, 93:18, 94:1, 94:11, 95:1, 96:8, 99:4, 102:4, 104:9, 104:22, 104:26, 105:1, 105:12, 105:23, 106:27, 106:28, 107:6, 107:23, 108:22, 109:18, 109:26, 111:17, 112:23, 114:22, 115:3, 115:6, 115:11, 115:19, 115:27, 117:7, 118:21</p> <p>Center.....</p> <p>- [1] - 6:24</p> <p>centers [3] - 100:2, 128:22, 130:11</p> <p>CENTRAL [1] - 136:17</p> <p>Central [2] - 1:13, 7:20</p> <p>cents [4] - 21:25, 34:15, 81:24, 190:1</p> <p>CEO [2] - 252:19, 252:23</p> <p>certain [10] - 70:9, 152:3, 176:28, 181:12, 185:18, 185:20, 189:21, 241:23, 285:17, 314:23</p> <p>certainly [4] - 29:7, 102:22, 233:13,</p>	<p>291:11</p> <p>Certification [1] - 317:26</p> <p>Certified [2] - 1:15, 317:25</p> <p>certify [2] - 317:6, 317:12</p> <p>CFO [2] - 252:17, 252:24</p> <p>chain [2] - 247:3, 249:22</p> <p>chair [1] - 112:21</p> <p>CHAIRMAN [655] - 8:3, 8:15, 8:18, 8:22, 9:25, 10:2, 10:9, 10:23, 11:2, 11:12, 12:2, 13:1, 13:5, 13:9, 13:15, 13:19, 13:25, 13:28, 14:3, 14:7, 14:13, 14:23, 15:2, 15:13, 15:19, 16:5, 16:8, 16:14, 16:23, 16:26, 17:4, 17:15, 17:18, 17:24, 18:4, 18:15, 18:25, 19:25, 20:12, 20:19, 20:23, 21:7, 21:10, 21:17, 21:28, 22:3, 22:6, 22:10, 22:13, 22:19, 23:13, 23:21, 23:26, 24:3, 24:8, 25:21, 25:26, 26:11, 26:17, 26:22, 26:28, 27:4, 27:8, 27:14, 27:21, 28:3, 32:15, 32:20, 33:7, 33:10, 33:15, 33:18, 33:22, 34:2, 34:16, 34:21, 34:27, 35:14, 35:19, 36:12, 36:16, 36:19, 36:22, 36:25, 37:4, 37:16, 37:23, 37:27, 38:14, 38:18, 38:22, 39:20, 39:26, 40:19, 40:23, 40:27, 41:19, 41:23, 43:6, 43:11, 43:18, 44:2, 44:7, 45:27, 47:1, 47:20, 47:28, 48:10, 49:27, 50:2, 50:6, 50:10, 50:14, 50:18, 52:10, 52:13, 52:17, 52:22, 54:13, 54:18, 54:23, 54:26, 55:4, 55:7, 55:10, 55:14, 55:20, 55:26, 56:2, 56:20, 56:25, 57:4, 57:8, 57:26, 58:3, 58:8, 58:17, 58:25, 59:12, 59:15, 59:21, 59:25,</p>	<p>59:28, 60:4, 60:9, 60:14, 60:20, 60:24, 61:12, 61:17, 61:24, 62:2, 62:6, 62:10, 62:15, 62:18, 62:21, 62:25, 63:6, 63:10, 63:15, 63:19, 63:23, 64:8, 67:8, 67:12, 67:15, 67:18, 67:22, 67:26, 68:18, 70:6, 70:12, 70:18, 71:3, 71:6, 71:9, 71:13, 77:26, 78:3, 78:6, 78:11, 78:14, 78:19, 78:22, 78:26, 79:4, 79:21, 80:25, 81:2, 81:7, 81:13, 81:17, 81:20, 81:27, 82:19, 82:23, 83:4, 83:8, 83:14, 83:27, 84:3, 84:24, 85:1, 85:5, 85:20, 86:15, 86:18, 86:22, 86:26, 87:2, 87:6, 90:16, 90:21, 90:25, 90:28, 91:6, 92:12, 92:15, 92:18, 92:21, 92:27, 93:3, 93:6, 93:22, 95:24, 96:3, 96:13, 96:24, 96:28, 97:3, 97:7, 98:13, 98:25, 98:28, 99:7, 99:10, 99:17, 99:21, 99:26, 100:4, 100:7, 100:10, 100:16, 100:21, 100:24, 100:28, 101:8, 101:12, 101:17, 101:21, 103:5, 103:9, 103:12, 103:15, 107:28, 108:3, 108:6, 108:11, 108:14, 110:15, 110:20, 110:24, 111:2, 111:21, 111:25, 113:18, 113:22, 113:25, 113:28, 114:7, 118:9, 119:11, 119:18, 119:22, 119:26, 120:2, 120:5, 120:17, 121:6, 122:16, 122:19, 127:13, 127:19, 127:24, 128:1, 128:8, 128:24, 129:7, 129:13, 130:3, 130:7, 130:16, 130:21, 131:3, 131:6, 132:25,</p>	<p>133:2, 133:7, 133:15, 133:19, 133:23, 133:26, 134:28, 135:8, 135:12, 135:20, 135:23, 136:2, 136:5, 136:14, 136:22, 137:4, 137:20, 137:24, 138:2, 138:5, 138:9, 138:14, 139:5, 139:11, 139:14, 139:25, 140:1, 140:12, 140:15, 140:19, 140:22, 140:25, 141:4, 141:9, 141:15, 141:21, 141:24, 142:5, 142:9, 142:13, 142:22, 142:27, 143:3, 144:4, 144:8, 144:11, 144:14, 144:18, 144:28, 145:16, 145:21, 145:24, 146:21, 146:26, 147:13, 147:22, 148:14, 148:17, 148:21, 148:24, 148:28, 149:13, 149:16, 151:23, 152:14, 152:21, 152:27, 153:2, 153:5, 153:15, 154:1, 154:4, 155:8, 155:16, 155:19, 156:2, 156:6, 156:11, 156:14, 156:18, 156:22, 157:11, 157:14, 157:17, 157:21, 157:25, 158:1, 158:8, 158:26, 159:8, 164:2, 164:25, 165:14, 165:17, 165:25, 166:7, 166:11, 166:14, 166:17, 166:21, 166:26, 167:2, 167:5, 167:12, 167:17, 168:3, 170:19, 172:7, 172:13, 172:18, 173:4, 175:9, 178:18, 178:23, 178:26, 181:18, 181:21, 181:25, 182:1, 182:7, 182:10, 182:14, 182:21,</p>	<p>183:7, 184:15, 184:20, 185:10, 189:28, 190:7, 190:12, 190:16, 190:20, 190:26, 191:8, 191:11, 191:16, 191:19, 191:25, 191:28, 192:4, 192:8, 194:17, 194:21, 195:6, 195:21, 196:11, 196:15, 196:22, 197:11, 197:15, 197:28, 201:6, 202:23, 202:26, 203:11, 203:17, 204:13, 204:25, 205:5, 206:16, 208:6, 208:10, 208:16, 208:27, 209:8, 209:15, 209:19, 209:23, 210:12, 210:16, 210:20, 210:24, 211:11, 211:25, 212:15, 214:19, 214:22, 214:27, 215:6, 215:9, 215:13, 215:20, 215:23, 216:16, 216:21, 217:10, 217:15, 219:4, 219:13, 219:20, 221:9, 222:18, 223:3, 223:18, 223:23, 223:27, 224:4, 224:8, 224:26, 225:1, 225:18, 226:4, 226:25, 227:7, 227:21, 229:1, 229:8, 229:13, 229:16, 229:20, 229:24, 229:27, 230:3, 231:3, 231:10, 231:27, 232:12, 232:16, 233:4, 233:18, 234:4, 234:8, 234:18, 237:21, 237:25, 238:1, 238:11, 240:11, 240:15, 242:22, 243:15, 243:19, 243:22, 243:26, 244:1, 244:5, 244:9, 244:14, 244:20, 244:27, 245:3, 245:7, 245:12, 245:15, 245:18,</p>
--	--	--	--	---

246:3, 246:12, 246:16, 254:12, 255:22, 256:2, 256:7, 262:21, 264:11, 264:21, 265:2, 266:21, 266:26, 270:20, 270:24, 270:27, 271:2, 271:5, 271:9, 271:12, 271:16, 271:19, 271:23, 271:28, 272:3, 272:6, 272:10, 272:13, 272:16, 272:22, 273:3, 273:7, 273:10, 273:13, 273:17, 273:21, 273:25, 274:3, 274:7, 274:11, 274:15, 274:19, 274:24, 274:27, 275:3, 276:10, 276:18, 276:22, 276:25, 277:1, 277:5, 277:9, 277:12, 277:15, 277:19, 277:23, 277:27, 278:6, 278:14, 278:20, 278:24, 278:27, 279:2, 279:6, 279:10, 279:13, 279:16, 280:5, 280:9, 280:12, 280:16, 280:20, 280:24, 280:27, 281:2, 281:6, 281:21, 282:1, 283:5, 286:14, 286:18, 286:23, 287:4, 287:19, 287:25, 287:28, 299:11, 301:11, 301:17, 301:20, 301:25, 305:6, 305:10, 305:18, 306:12, 306:16, 310:1, 310:5, 310:9, 310:13, 310:17, 312:23, 312:27, 313:3, 314:11, 315:10, 315:14, 315:20, 315:23, 315:27, 316:2, 316:5, 316:8 Chairman [50] - 2:4, 8:17, 12:21, 14:21, 15:10, 16:1, 18:27, 21:27, 23:1, 23:16, 34:7, 35:5, 38:20, 40:9, 41:25, 57:23,	59:5, 59:18, 62:23, 67:7, 84:5, 86:21, 101:16, 113:21, 114:6, 135:7, 139:21, 149:24, 150:12, 151:21, 152:18, 153:13, 158:10, 182:19, 190:11, 200:4, 201:4, 211:14, 213:1, 214:15, 216:4, 265:7, 268:14, 276:15, 281:25, 286:20, 287:15, 312:14, 314:17 challenge [1] - 292:25 challenges [1] - 262:27 chambers [1] - 136:11 chance [6] - 117:12, 123:24, 138:11, 227:14, 268:23, 275:24 change [21] - 32:5, 61:4, 61:16, 75:12, 160:3, 167:18, 183:1, 189:4, 189:10, 193:4, 193:8, 193:19, 194:7, 194:14, 226:8, 263:21, 286:9, 295:15, 297:13, 300:11, 311:12 CHANGE [2] - 60:28, 134:6 Change..... [1] - 7:15 Change..... [1] - 6:27 changed [6] - 83:25, 191:1, 191:7, 252:7, 298:8, 313:17 changeover [1] - 82:18 changes [3] - 38:6, 194:13, 216:8 changing [3] - 61:9, 80:18, 203:25 Channel [1] - 45:16 character [2] - 151:28, 314:20 charge [4] - 96:4, 97:11, 125:19 Charles [1] - 2:4 CHARLES [655] - 8:3, 8:15, 8:18, 8:22, 9:25, 10:2, 10:9, 10:23, 11:2, 11:12,	12:2, 13:1, 13:5, 13:9, 13:15, 13:19, 13:25, 13:28, 14:3, 14:7, 14:13, 14:23, 15:2, 15:13, 15:19, 16:5, 16:8, 16:14, 16:23, 16:26, 17:4, 17:15, 17:18, 17:24, 18:4, 18:15, 18:25, 19:25, 20:12, 20:19, 20:23, 21:7, 21:10, 21:17, 21:28, 22:3, 22:6, 22:10, 22:13, 22:19, 23:13, 23:21, 23:26, 24:3, 24:8, 25:21, 25:26, 26:11, 26:17, 26:22, 26:28, 27:4, 27:8, 27:14, 27:21, 28:3, 32:15, 32:20, 33:7, 33:10, 33:15, 33:18, 33:22, 34:2, 34:16, 34:21, 34:27, 35:14, 35:19, 36:12, 36:16, 36:19, 36:22, 36:25, 37:4, 37:16, 37:23, 37:27, 38:14, 38:18, 38:22, 39:20, 39:26, 40:19, 40:23, 40:27, 41:19, 41:23, 43:6, 43:11, 43:18, 44:2, 44:7, 45:27, 47:1, 47:20, 47:28, 48:10, 49:27, 50:2, 50:6, 50:10, 50:14, 50:18, 52:10, 52:13, 52:17, 52:22, 54:13, 54:18, 54:23, 54:26, 55:4, 55:7, 55:10, 55:14, 55:20, 55:26, 56:2, 56:20, 56:25, 57:4, 57:8, 57:26, 58:3, 58:8, 58:17, 58:25, 59:12, 59:15, 59:21, 59:25, 59:28, 60:4, 60:9, 60:14, 60:20, 60:24, 61:12, 61:17, 61:24, 62:2, 62:6, 62:10, 62:15, 62:18, 62:21, 62:25, 63:6, 63:10, 63:15, 63:19, 63:23, 64:8, 67:8, 67:12, 67:15, 67:18, 67:22, 67:26, 68:18, 70:6, 70:12, 70:18, 71:3, 71:6, 71:9, 71:13, 77:26, 78:3, 78:6, 78:11, 78:14, 78:19, 78:22, 78:26, 79:4, 79:21, 80:25, 81:2, 81:7, 81:13, 81:17,	81:20, 81:27, 82:19, 82:23, 83:4, 83:8, 83:14, 83:27, 84:3, 84:24, 85:1, 85:5, 85:20, 86:15, 86:18, 86:22, 86:26, 87:2, 87:6, 90:16, 90:21, 90:25, 90:28, 91:6, 92:12, 92:15, 92:18, 92:21, 92:27, 93:3, 93:6, 93:22, 95:24, 96:3, 96:13, 96:24, 96:28, 97:3, 97:7, 98:13, 98:25, 98:28, 99:7, 99:10, 99:17, 99:21, 99:26, 100:4, 100:7, 100:10, 100:16, 100:21, 100:24, 100:28, 101:8, 101:12, 101:17, 101:21, 103:5, 103:9, 103:12, 103:15, 107:28, 108:3, 108:6, 108:11, 108:14, 110:15, 110:20, 110:24, 111:2, 111:21, 111:25, 113:18, 113:22, 113:25, 113:28, 114:7, 118:9, 119:11, 119:18, 119:22, 119:26, 120:2, 120:5, 120:17, 121:6, 122:16, 122:19, 127:13, 127:19, 127:24, 128:1, 128:8, 128:24, 129:7, 129:13, 130:3, 130:7, 130:16, 130:21, 131:3, 131:6, 132:25, 133:2, 133:7, 133:15, 133:19, 133:23, 133:26, 134:28, 135:8, 135:12, 135:20, 135:23, 136:2, 136:5, 136:14, 136:22, 137:4, 137:20, 137:24, 138:2, 138:5, 138:9, 138:14, 139:5, 139:11, 139:14, 139:25, 140:1, 140:12, 140:15, 140:19, 140:22, 140:25, 141:4, 141:9, 141:15,	141:21, 141:24, 142:5, 142:9, 142:13, 142:22, 142:27, 143:3, 144:4, 144:8, 144:11, 144:14, 144:18, 144:28, 145:16, 145:21, 145:24, 146:21, 146:26, 147:13, 147:22, 148:14, 148:17, 148:21, 148:24, 148:28, 149:13, 149:16, 151:23, 152:14, 152:21, 152:27, 153:2, 153:5, 153:15, 154:1, 154:4, 155:8, 155:16, 155:19, 156:2, 156:6, 156:11, 156:14, 156:18, 156:22, 157:11, 157:14, 157:17, 157:21, 157:25, 158:1, 158:8, 158:26, 159:8, 164:2, 164:25, 165:14, 165:17, 165:25, 166:7, 166:11, 166:14, 166:17, 166:21, 166:26, 167:2, 167:5, 167:12, 167:17, 168:3, 170:19, 172:7, 172:13, 172:18, 173:4, 175:9, 178:18, 178:23, 178:26, 181:18, 181:21, 181:25, 182:1, 182:7, 182:10, 182:14, 182:21, 183:7, 184:15, 184:20, 185:10, 189:28, 190:7, 190:12, 190:16, 190:20, 190:26, 191:8, 191:11, 191:16, 191:19, 191:25, 191:28, 192:4, 192:8, 194:17, 194:21, 195:6, 195:21, 196:11, 196:15, 196:22, 197:11, 197:15, 197:28, 201:6, 202:23, 202:26, 203:11, 203:17, 204:13,
--	---	---	---	---

204:25, 205:5,
206:16, 208:6,
208:10, 208:16,
208:27, 209:8,
209:15, 209:19,
209:23, 210:12,
210:16, 210:20,
210:24, 211:11,
211:25, 212:15,
214:19, 214:22,
214:27, 215:6,
215:9, 215:13,
215:20, 215:23,
216:16, 216:21,
217:10, 217:15,
219:4, 219:13,
219:20, 221:9,
222:18, 223:3,
223:18, 223:23,
223:27, 224:4,
224:8, 224:26,
225:1, 225:18,
226:4, 226:25,
227:7, 227:21,
229:1, 229:8,
229:13, 229:16,
229:20, 229:24,
229:27, 230:3,
231:3, 231:10,
231:27, 232:12,
232:16, 233:4,
233:18, 234:4,
234:8, 234:18,
237:21, 237:25,
238:1, 238:11,
240:11, 240:15,
242:22, 243:15,
243:19, 243:22,
243:26, 244:1,
244:5, 244:9,
244:14, 244:20,
244:27, 245:3,
245:7, 245:12,
245:15, 245:18,
246:3, 246:12,
246:16, 254:12,
255:22, 256:2,
256:7, 262:21,
264:11, 264:21,
265:2, 266:21,
266:26, 270:20,
270:24, 270:27,
271:2, 271:5, 271:9,
271:12, 271:16,
271:19, 271:23,
271:28, 272:3,
272:6, 272:10,
272:13, 272:16,
272:22, 273:3,
273:7, 273:10,
273:13, 273:17,

273:21, 273:25,
274:3, 274:7,
274:11, 274:15,
274:19, 274:24,
274:27, 275:3,
276:10, 276:18,
276:22, 276:25,
277:1, 277:5, 277:9,
277:12, 277:15,
277:19, 277:23,
277:27, 278:6,
278:14, 278:20,
278:24, 278:27,
279:2, 279:6,
279:10, 279:13,
279:16, 280:5,
280:9, 280:12,
280:16, 280:20,
280:24, 280:27,
281:2, 281:6,
281:21, 282:1,
283:5, 286:14,
286:18, 286:23,
287:4, 287:19,
287:25, 287:28,
299:11, 301:11,
301:17, 301:20,
301:25, 305:6,
305:10, 305:18,
306:12, 306:16,
310:1, 310:5, 310:9,
310:13, 310:17,
312:23, 312:27,
313:3, 314:11,
315:10, 315:14,
315:20, 315:23,
315:27, 316:2,
316:5, 316:8
chart [7] - 176:2,
188:18, 251:25,
252:10, 255:8,
286:12, 292:14
charts [1] - 196:14
check [1] - 129:10
checked [1] - 292:21
checkers [1] - 115:12
checking [1] - 262:13
checks [1] - 251:19
chief [1] - 137:17
Chief [4] - 2:18, 71:22,
250:10, 250:20
chief's [1] - 137:16
CHILDRESS [74] -
93:2, 93:5, 93:8,
93:26, 94:5, 94:10,
94:14, 94:17, 94:22,
94:27, 95:6, 95:11,
95:15, 95:21, 97:2,
97:6, 97:19, 98:3,
98:10, 98:15, 98:18,

98:21, 99:15, 99:20,
99:25, 100:9, 103:1,
103:7, 103:11,
103:14, 103:17,
106:20, 106:22,
106:26, 107:5,
107:8, 107:12,
108:8, 109:10,
109:13, 110:6,
110:14, 111:20,
111:23, 113:8,
113:12, 113:20,
113:27, 114:2,
114:17, 114:19,
120:13, 120:26,
125:13, 125:16,
125:19, 125:28,
126:4, 126:6, 126:8,
126:11, 127:3,
129:11, 129:17,
129:20, 129:23,
129:26, 129:28,
130:14, 133:6,
133:9, 133:12,
133:25, 134:4
Childress [1] - 3:6
choice [1] - 74:23
choose [1] - 261:24
chose [1] - 298:25
chosen [1] - 154:20
CHRIS [1] - 232:5
Chris [1] - 22:9
Christie [1] - 253:22
chucks [1] - 178:7
chunk [1] - 178:9
church [26] - 53:7,
53:11, 53:14, 54:19,
55:6, 56:9, 56:10,
56:11, 57:25, 58:1,
91:19, 94:7, 95:1,
95:11, 95:28,
103:18, 104:1,
105:3, 105:8,
105:10, 109:6,
113:9, 131:27, 132:1
churches [8] - 93:14,
93:17, 95:12,
113:12, 113:14,
117:23, 124:15
CINDY [9] - 64:6,
64:10, 67:2, 67:11,
67:14, 67:17, 67:20,
70:10, 70:25
Cindy [7] - 3:13, 7:4,
64:10, 64:12, 66:21,
67:9, 70:21
CINK [157] - 8:17,
8:20, 63:13, 122:14,
122:18, 122:23,
122:26, 135:15,

135:25, 136:1,
136:9, 136:20,
136:25, 138:8,
138:20, 139:13,
139:28, 140:17,
140:27, 141:1,
141:11, 141:19,
141:23, 141:26,
158:15, 158:22,
159:1, 159:3, 159:7,
159:10, 159:14,
159:17, 159:21,
160:1, 160:17,
160:26, 161:1,
161:4, 161:7,
162:12, 166:3,
167:4, 167:15,
167:23, 168:7,
169:14, 171:1,
171:17, 172:9,
173:17, 173:20,
173:23, 175:22,
175:25, 175:27,
176:5, 183:5, 183:9,
183:13, 183:16,
183:18, 183:20,
191:14, 191:21,
191:27, 192:2,
196:24, 196:27,
197:4, 197:13,
197:17, 197:21,
197:25, 197:27,
198:2, 198:7,
200:11, 200:13,
228:11, 233:14,
239:15, 240:25,
240:28, 241:7,
241:12, 241:15,
241:19, 244:12,
245:11, 245:14,
245:17, 245:20,
245:26, 246:2,
247:15, 247:19,
248:1, 248:6,
249:20, 249:26,
250:5, 250:12,
251:9, 251:21,
252:19, 252:21,
252:23, 253:22,
253:24, 253:28,
254:4, 254:9,
257:14, 260:9,
261:7, 261:13,
261:18, 262:12,
262:14, 262:16,
262:23, 262:25,
263:6, 263:8,
263:27, 264:3,
264:20, 265:9,
266:15, 266:18,
266:25, 267:4,

267:8, 267:12,
267:15, 282:22,
283:26, 284:2,
284:23, 287:1,
287:6, 296:8,
298:22, 298:26,
301:16, 301:19,
302:27, 307:19,
307:23, 308:10,
309:2, 309:23,
310:25, 311:23,
311:28, 312:2,
312:20
Cink [7] - 2:9, 200:3,
239:12, 239:19,
240:3, 256:1, 289:14
Cink's [1] - 282:13
circulating [1] - 296:3
CIS [3] - 2:20, 2:21,
314:2
Cities [1] - 42:3
citizens [11] - 72:25,
93:11, 93:25, 95:7,
97:14, 97:21, 97:22,
97:23, 199:9, 200:17
CITY [1] - 135:4
City [9] - 7:10, 24:21,
45:13, 83:25,
135:13, 135:16,
135:27, 136:1,
265:26
clapped [1] - 107:19
clarification [5] -
159:18, 161:10,
174:13, 311:23,
312:20
clarify [2] - 220:14,
232:24
clarity [3] - 154:23,
154:25, 156:12
clarity's [1] - 163:6
Clarke [4] - 65:3,
66:12, 70:8, 70:10
classifications [1] -
297:1
Clean [1] - 17:12
clean [2] - 166:2,
166:8
Cleaning [1] - 17:12
Clear [2] - 85:8, 86:9
clear [14] - 53:15,
53:19, 143:17,
160:9, 160:19,
160:28, 161:6,
165:2, 171:21,
175:2, 193:25,
309:2, 309:4, 309:26
clearance [3] - 142:1,
143:19, 144:3
cleared [6] - 31:26,

46:23, 48:17, 158:13, 168:26, 176:8 clearing [1] - 50:28 clearly [1] - 175:16 Clerk/Treasurer [3] - 2:12, 146:10, 248:9 clerk/Treasurer [1] - 313:21 CLIFF [13] - 148:4, 148:12, 216:28, 217:13, 218:26, 241:11, 282:11, 282:23, 282:26, 304:18, 305:12, 305:16, 305:22 Cliff [3] - 3:16, 241:9, 262:7 closed [1] - 105:12 closely [1] - 251:15 closer [1] - 19:15 Club [1] - 136:27 Clue [1] - 7:21 CLUE [1] - 136:18 Coast [1] - 3:16 COASTAL [1] - 83:13 Coastal [4] - 6:17, 83:23, 235:14, 235:23 Code [5] - 12:22, 146:5, 151:26, 312:9, 314:17 code [5] - 146:6, 173:12, 175:21, 175:22, 176:2 Codes [1] - 235:23 coin [1] - 264:8 collection [1] - 185:18 COLLECTIONS [1] - 34:1 Collections [3] - 5:18, 34:6, 34:10 column [2] - 45:24, 45:26 columns [1] - 46:3 combine [1] - 257:17 combined [4] - 153:26, 155:4, 305:7, 305:9 comfortable [8] - 157:2, 186:15, 227:1, 227:3, 261:9, 276:2, 296:18, 306:19 coming [22] - 30:22, 48:3, 48:4, 48:24, 65:19, 66:19, 75:24, 77:23, 77:25, 82:10, 82:28, 104:5, 108:17, 111:22,	125:23, 126:11, 127:9, 183:26, 205:8, 230:7, 279:23 comma [2] - 176:3, 312:11 command [1] - 247:3 comment [2] - 19:14, 294:6 comments [2] - 145:6, 189:27 commercial [2] - 91:18, 92:10 commercial/kitchen [1] - 87:10 Commission [83] - 2:18, 4:4, 5:25, 12:14, 16:19, 17:28, 22:28, 37:8, 37:11, 38:2, 40:4, 42:12, 53:17, 57:12, 61:16, 63:27, 83:17, 83:21, 85:14, 86:6, 86:7, 86:12, 87:22, 87:23, 88:2, 90:18, 91:27, 102:15, 114:10, 115:15, 118:13, 121:5, 123:7, 135:26, 137:6, 138:27, 144:23, 146:14, 146:16, 146:17, 150:2, 153:8, 153:10, 153:26, 154:16, 159:3, 159:5, 159:11, 159:18, 159:27, 161:20, 161:26, 162:2, 162:9, 165:6, 168:18, 169:27, 172:5, 172:10, 173:16, 176:4, 183:23, 184:2, 187:23, 189:20, 193:18, 197:18, 212:14, 215:16, 215:18, 241:10, 241:11, 261:10, 279:27, 283:1, 284:7, 295:3, 295:4, 295:9, 295:10, 312:10, 312:13, 316:11 COMMISSION [669] - 1:3, 8:3, 8:14, 8:15, 8:18, 8:22, 9:25, 10:2, 10:8, 10:9, 10:23, 11:1, 11:2, 11:12, 11:18, 12:2, 12:6, 13:1, 13:5, 13:9, 13:15, 13:19,	13:25, 13:28, 14:3, 14:7, 14:13, 14:23, 15:2, 15:13, 15:19, 16:5, 16:8, 16:13, 16:14, 16:23, 16:26, 17:3, 17:4, 17:15, 17:18, 17:23, 17:24, 18:4, 18:9, 18:15, 18:25, 19:25, 20:11, 20:12, 20:19, 20:23, 21:7, 21:10, 21:16, 21:17, 21:28, 22:3, 22:6, 22:10, 22:13, 22:19, 23:13, 23:21, 23:26, 24:3, 24:8, 25:21, 25:26, 26:11, 26:17, 26:22, 26:28, 27:4, 27:8, 27:14, 27:21, 28:3, 32:15, 32:20, 33:7, 33:10, 33:15, 33:18, 33:22, 34:2, 34:16, 34:21, 34:26, 34:27, 35:14, 35:19, 36:12, 36:16, 36:19, 36:22, 36:25, 37:2, 37:4, 37:16, 37:23, 37:27, 38:14, 38:18, 38:22, 39:20, 39:26, 40:19, 40:23, 40:27, 41:19, 41:23, 43:6, 43:11, 43:18, 44:2, 44:7, 45:27, 47:1, 47:20, 47:28, 48:10, 49:27, 50:2, 50:6, 50:10, 50:14, 50:18, 52:10, 52:13, 52:17, 52:22, 54:13, 54:18, 54:23, 54:26, 55:4, 55:7, 55:10, 55:14, 55:20, 55:26, 56:2, 56:20, 56:25, 57:4, 57:8, 57:26, 58:3, 58:8, 58:17, 58:25, 59:12, 59:15, 59:21, 59:25, 59:28, 60:4, 60:9, 60:14, 60:20, 60:24, 61:12, 61:17, 61:24, 62:2, 62:6, 62:10, 62:15, 62:18, 62:21, 62:25, 63:6, 63:10, 63:15, 63:19, 63:23, 64:8, 67:8, 67:12, 67:15, 67:18, 67:22, 67:26, 68:18, 70:6, 70:12, 70:18, 71:3, 71:6, 71:9, 71:13, 77:26, 78:3, 78:6, 78:11, 78:14, 78:19, 78:22, 78:26, 79:4, 79:21, 80:25, 81:2, 81:7,	81:13, 81:17, 81:20, 81:27, 82:19, 82:23, 83:4, 83:8, 83:14, 83:27, 84:3, 84:24, 85:1, 85:5, 85:20, 86:15, 86:18, 86:22, 86:26, 87:2, 87:6, 90:16, 90:21, 90:25, 90:28, 91:6, 92:12, 92:15, 92:18, 92:21, 92:27, 93:3, 93:6, 93:22, 95:24, 96:3, 96:13, 96:24, 96:28, 97:3, 97:7, 98:13, 98:25, 98:28, 99:7, 99:10, 99:17, 99:21, 99:26, 100:4, 100:7, 100:10, 100:16, 100:21, 100:24, 100:28, 101:8, 101:12, 101:17, 101:21, 103:5, 103:9, 103:12, 103:15, 107:28, 108:3, 108:6, 108:11, 108:14, 110:15, 110:20, 110:24, 111:2, 111:21, 111:25, 113:18, 113:22, 113:25, 113:28, 114:7, 118:9, 119:11, 119:18, 119:22, 119:26, 120:2, 120:5, 120:17, 121:6, 122:16, 122:19, 127:13, 127:19, 127:24, 128:1, 128:8, 128:24, 129:7, 129:13, 130:3, 130:7, 130:16, 130:21, 131:3, 131:6, 132:25, 133:2, 133:7, 133:15, 133:19, 133:23, 133:26, 134:28, 135:8, 135:12, 135:20, 135:23, 136:2, 136:5, 136:14, 136:22, 137:4, 137:20, 137:24, 138:2, 138:5, 138:9, 138:14, 139:5, 139:11, 139:14, 139:25, 140:1, 140:12, 140:15, 140:19, 140:22, 140:25, 141:4,	141:9, 141:15, 141:21, 141:24, 142:5, 142:9, 142:13, 142:22, 142:27, 143:3, 144:4, 144:8, 144:11, 144:14, 144:18, 144:28, 145:16, 145:21, 145:24, 146:21, 146:26, 147:13, 147:22, 148:14, 148:17, 148:21, 148:24, 148:28, 149:13, 149:16, 151:23, 152:14, 152:21, 152:27, 153:2, 153:5, 153:15, 154:1, 154:4, 155:8, 155:16, 155:19, 156:2, 156:6, 156:11, 156:14, 156:18, 156:22, 157:11, 157:14, 157:17, 157:21, 157:25, 158:1, 158:8, 158:26, 159:8, 164:2, 164:25, 165:14, 165:17, 165:25, 166:7, 166:11, 166:14, 166:17, 166:21, 166:26, 167:2, 167:5, 167:12, 167:17, 168:3, 170:19, 172:7, 172:13, 172:18, 173:4, 175:9, 178:18, 178:23, 178:26, 181:18, 181:21, 181:25, 182:1, 182:7, 182:10, 182:14, 182:21, 183:7, 184:15, 184:20, 185:10, 189:28, 190:7, 190:12, 190:16, 190:20, 190:26, 191:8, 191:11, 191:16, 191:19, 191:25, 191:28, 192:4, 192:8, 194:17, 194:21, 195:6, 195:21, 196:11, 196:15, 196:22, 197:11, 197:15, 197:28, 201:6, 202:23, 202:26, 203:11,
---	---	--	--	--

203:17, 204:13, 204:25, 205:5, 206:16, 208:6, 208:10, 208:16, 208:27, 209:8, 209:15, 209:19, 209:23, 210:12, 210:16, 210:20, 210:24, 211:11, 211:25, 212:15, 214:19, 214:22, 214:27, 215:6, 215:9, 215:13, 215:20, 215:23, 216:16, 216:21, 217:10, 217:15, 219:4, 219:13, 219:20, 221:9, 222:18, 223:3, 223:18, 223:23, 223:27, 224:4, 224:8, 224:26, 225:1, 225:18, 226:4, 226:25, 227:7, 227:21, 229:1, 229:8, 229:13, 229:16, 229:20, 229:24, 229:27, 230:3, 231:3, 231:10, 231:27, 232:12, 232:16, 233:4, 233:18, 234:4, 234:8, 234:18, 237:21, 237:25, 238:1, 238:11, 240:11, 240:15, 242:22, 243:15, 243:19, 243:22, 243:26, 244:1, 244:5, 244:9, 244:14, 244:20, 244:27, 245:3, 245:7, 245:12, 245:15, 245:18, 246:3, 246:12, 246:16, 254:12, 255:22, 256:2, 256:7, 262:21, 264:11, 264:21, 265:2, 266:21, 266:26, 270:20, 270:24, 270:27, 271:2, 271:5, 271:9, 271:12, 271:16, 271:19, 271:23, 271:28, 272:3, 272:6, 272:10, 272:13, 272:16, 272:22, 273:3, 273:7, 273:10,	273:13, 273:17, 273:21, 273:25, 274:3, 274:7, 274:11, 274:15, 274:19, 274:24, 274:27, 275:3, 276:10, 276:18, 276:22, 276:25, 277:1, 277:5, 277:9, 277:12, 277:15, 277:19, 277:23, 277:27, 278:6, 278:14, 278:20, 278:24, 278:27, 279:2, 279:6, 279:10, 279:13, 279:16, 280:5, 280:9, 280:12, 280:16, 280:20, 280:24, 280:27, 281:2, 281:6, 281:21, 282:1, 283:5, 286:14, 286:18, 286:23, 287:4, 287:19, 287:25, 287:28, 299:11, 301:11, 301:17, 301:20, 301:25, 305:6, 305:10, 305:18, 306:12, 306:16, 310:1, 310:5, 310:9, 310:13, 310:17, 312:23, 312:27, 313:3, 314:11, 315:10, 315:14, 315:20, 315:23, 315:27, 316:2, 316:5, 316:8 Commission's [2] - 8:5, 54:16 Commission... [1] - 5:10 Commission..... [1] - 5:21 Commission..... [1] - 4:12 Commission..... [2] - 4:24, 5:15 Commission..... [1] - 4:14 Commission..... [1] - 4:10 Commission..... [4] - 4:8, 4:26, 5:5, 5:7 COMMISSIONER [1284] - 9:27, 10:1, 10:13, 10:25, 10:26, 11:11, 11:14, 11:15,	11:27, 11:28, 12:1, 14:25, 15:11, 15:12, 16:10, 16:25, 16:28, 17:17, 17:20, 18:3, 18:6, 18:14, 18:27, 19:6, 19:8, 19:10, 19:11, 19:12, 19:13, 19:16, 19:18, 19:20, 19:22, 19:23, 19:24, 19:27, 20:1, 20:4, 20:5, 20:7, 20:14, 20:21, 20:22, 21:9, 21:12, 22:2, 22:5, 22:15, 23:1, 23:15, 23:23, 24:1, 24:7, 24:11, 24:12, 24:16, 25:15, 25:25, 26:1, 26:15, 26:20, 26:27, 27:3, 27:6, 27:10, 27:16, 27:28, 28:5, 28:10, 28:14, 28:15, 28:22, 28:24, 28:25, 28:27, 29:1, 29:3, 29:5, 29:7, 29:8, 29:12, 29:14, 29:16, 29:18, 29:21, 29:23, 29:24, 29:26, 29:27, 29:28, 30:2, 30:3, 30:4, 30:6, 30:8, 30:9, 30:11, 30:18, 30:19, 30:26, 30:28, 31:1, 31:3, 31:5, 31:7, 31:9, 31:10, 31:12, 31:14, 31:16, 31:18, 31:20, 31:21, 31:23, 31:26, 32:3, 32:7, 32:10, 32:13, 32:17, 32:24, 32:25, 32:26, 32:27, 33:2, 33:13, 33:17, 33:20, 33:24, 33:25, 34:18, 34:19, 34:20, 35:16, 35:17, 35:18, 36:18, 36:21, 36:28, 38:7, 38:10, 38:20, 38:24, 39:8, 39:10, 39:12, 39:17, 39:22, 40:21, 40:22, 41:16, 41:21, 41:22, 41:25, 42:9, 42:13, 42:22, 43:1, 43:5, 47:23, 54:28, 56:5, 56:8, 56:13, 56:22, 56:27, 58:15, 58:19, 58:20, 59:14, 59:17, 59:23, 59:27, 60:6, 60:12, 60:18, 60:22, 61:19, 62:1, 62:8, 62:12, 62:13, 62:14, 63:4, 63:17, 64:1, 67:7, 67:24, 67:28, 68:4, 68:9,	68:12, 68:22, 69:1, 69:5, 69:6, 69:10, 69:15, 69:17, 69:20, 69:22, 69:27, 70:4, 70:15, 70:20, 70:27, 71:5, 71:8, 77:8, 78:8, 78:10, 78:16, 80:9, 80:12, 80:22, 80:24, 81:15, 81:25, 81:26, 82:12, 82:14, 83:10, 84:1, 84:2, 84:5, 84:10, 84:14, 84:22, 86:20, 86:24, 86:28, 88:8, 88:11, 88:17, 88:22, 88:25, 89:1, 89:5, 89:9, 89:14, 89:22, 89:25, 90:2, 90:6, 90:13, 90:23, 92:17, 92:23, 98:6, 98:12, 101:15, 101:19, 101:23, 103:28, 104:10, 105:6, 105:14, 105:19, 105:22, 106:1, 106:5, 108:9, 110:27, 111:4, 111:27, 112:6, 112:9, 112:28, 113:3, 113:11, 118:19, 118:28, 119:2, 119:8, 119:16, 120:1, 120:4, 120:12, 120:14, 121:8, 121:10, 121:12, 121:14, 121:15, 121:20, 121:22, 121:24, 121:28, 122:3, 122:7, 122:21, 122:24, 123:2, 123:17, 123:20, 123:25, 124:1, 124:4, 124:10, 124:13, 124:18, 124:21, 124:25, 124:28, 125:3, 125:5, 125:9, 125:11, 125:15, 126:15, 126:17, 126:26, 127:1, 127:8, 127:11, 127:16, 127:18, 127:22, 127:26, 127:28, 128:3, 128:6, 128:10, 128:14, 128:17, 128:21, 128:27, 129:2, 129:4, 129:9, 129:15, 129:19, 130:28, 131:10, 131:20, 131:24,	131:26, 132:2, 132:5, 132:8, 132:13, 132:15, 132:21, 132:28, 133:4, 133:11, 133:13, 133:17, 133:21, 133:28, 134:2, 134:26, 134:27, 135:2, 135:6, 135:10, 135:22, 135:28, 136:4, 136:12, 136:13, 136:24, 136:28, 137:7, 137:22, 137:26, 138:4, 138:12, 138:28, 139:2, 139:3, 139:7, 139:23, 140:24, 140:28, 141:8, 141:12, 142:3, 142:7, 142:11, 142:15, 142:19, 142:24, 143:1, 143:5, 143:13, 143:18, 143:24, 144:1, 144:13, 144:17, 144:20, 145:14, 145:19, 145:23, 145:28, 146:1, 146:4, 146:24, 147:3, 147:8, 147:15, 147:18, 147:20, 147:24, 147:27, 148:26, 149:4, 149:7, 149:23, 150:18, 150:23, 150:26, 150:28, 151:5, 151:8, 151:12, 151:17, 152:17, 152:20, 154:3, 155:14, 155:18, 155:25, 156:1, 156:4, 156:8, 156:10, 156:13, 156:17, 156:20, 156:24, 157:13, 157:16, 158:5, 158:7, 161:13, 161:15, 161:21, 162:8, 162:14, 162:16, 162:19, 162:22, 162:27, 163:2, 163:12, 163:23, 163:26, 163:27, 164:1, 164:15, 164:18, 164:22, 165:8, 165:12, 165:19, 165:27, 166:5,
--	---	---	---	---

166:9, 166:13, 166:24, 166:28, 168:9, 168:23, 169:1, 169:3, 169:18, 170:1, 170:8, 170:15, 170:21, 170:24, 170:26, 171:10, 171:23, 171:24, 171:25, 172:2, 172:6, 172:16, 172:20, 172:24, 172:26, 172:28, 173:1, 173:7, 173:26, 174:4, 174:6, 175:13, 176:14, 176:22, 176:26, 177:1, 177:2, 177:10, 177:11, 177:16, 177:17, 177:20, 177:23, 177:25, 178:4, 178:13, 178:20, 178:25, 178:28, 179:9, 179:14, 179:21, 179:26, 180:5, 180:10, 180:15, 180:18, 180:20, 180:23, 180:26, 180:28, 181:4, 181:7, 181:8, 181:16, 181:17, 181:24, 181:27, 182:3, 182:5, 182:16, 184:4, 184:6, 184:12, 184:24, 184:27, 185:4, 185:24, 185:27, 186:3, 186:7, 186:12, 186:16, 186:23, 186:27, 187:10, 187:11, 188:26, 188:27, 189:13, 189:14, 190:5, 190:14, 190:18, 190:24, 190:28, 191:2, 191:4, 191:23, 192:7, 192:10, 193:11, 194:4, 194:9, 194:19, 195:4, 195:20, 195:28, 196:13, 196:17, 196:26, 197:19, 197:23, 197:26, 198:5, 198:8, 198:12, 198:14, 198:15, 198:16, 198:18, 199:14,	199:18, 199:20, 199:24, 200:1, 200:2, 200:12, 200:14, 200:25, 200:28, 201:1, 201:8, 201:13, 201:17, 201:20, 201:22, 201:25, 201:28, 202:1, 202:3, 202:6, 202:7, 202:11, 202:13, 202:14, 202:16, 202:18, 202:20, 202:22, 202:25, 202:28, 203:2, 203:7, 203:9, 203:13, 203:15, 203:19, 203:23, 203:28, 204:5, 204:6, 204:7, 204:9, 204:12, 204:15, 204:17, 204:19, 204:22, 204:23, 204:24, 205:3, 205:7, 205:11, 205:22, 205:26, 206:4, 206:8, 206:11, 206:20, 206:22, 207:1, 207:4, 207:6, 207:10, 207:20, 207:21, 207:24, 207:26, 208:1, 208:4, 208:8, 208:12, 208:18, 208:25, 209:1, 209:3, 209:4, 209:6, 209:10, 209:12, 209:17, 209:21, 210:11, 210:15, 210:19, 210:22, 211:1, 211:13, 211:20, 211:21, 211:23, 211:28, 212:7, 212:11, 212:19, 212:20, 212:24, 213:14, 213:16, 213:28, 214:2, 214:5, 214:9, 214:11, 214:12, 214:14, 214:24, 214:25, 214:26, 215:1, 215:3, 215:4, 215:8, 215:11, 215:12, 215:22, 215:26, 215:27, 216:1, 216:2, 216:10, 216:14, 216:18, 216:23, 216:26, 217:2, 217:7, 217:8,	217:17, 217:19, 217:21, 217:23, 217:25, 217:28, 218:2, 218:4, 218:8, 218:12, 218:15, 218:16, 218:20, 218:21, 218:24, 218:27, 219:2, 219:7, 219:9, 219:11, 219:18, 219:24, 220:1, 220:4, 220:5, 221:11, 221:21, 221:22, 222:5, 222:8, 222:10, 222:15, 222:20, 222:22, 222:23, 222:25, 222:26, 222:28, 223:1, 223:5, 223:6, 223:7, 223:13, 223:21, 223:25, 224:14, 224:18, 224:23, 225:4, 225:7, 225:10, 225:12, 225:14, 225:16, 225:17, 225:21, 225:22, 225:25, 225:27, 226:7, 226:9, 226:11, 226:13, 226:16, 226:17, 226:18, 226:20, 226:21, 226:23, 226:28, 227:17, 227:18, 227:23, 227:25, 228:2, 228:4, 228:5, 228:7, 228:14, 228:16, 228:20, 228:22, 228:25, 228:27, 229:6, 229:11, 229:15, 229:18, 229:22, 229:26, 230:1, 230:5, 230:6, 230:11, 230:14, 230:18, 230:23, 230:25, 230:27, 231:1, 231:6, 231:8, 231:14, 231:16, 231:20, 231:22, 231:25, 232:1, 232:3, 232:5, 232:20, 232:23, 232:26, 232:27, 233:1, 233:2, 233:7, 233:13, 233:15, 233:20, 233:22, 234:1, 234:2, 234:6, 234:10, 234:12, 234:14, 234:16,	234:21, 234:26, 234:28, 235:16, 235:27, 236:1, 236:7, 236:8, 236:10, 236:11, 237:1, 237:4, 237:6, 237:10, 237:14, 237:16, 237:18, 237:27, 238:3, 238:5, 238:7, 238:9, 238:13, 238:16, 238:18, 238:22, 238:24, 238:26, 238:28, 239:2, 239:6, 239:8, 239:11, 239:17, 239:23, 239:27, 240:2, 240:7, 240:9, 240:18, 240:21, 240:23, 240:27, 241:2, 241:14, 241:16, 241:18, 241:20, 241:26, 241:27, 242:8, 242:11, 242:16, 243:10, 243:17, 243:21, 243:24, 243:28, 244:3, 244:7, 244:18, 244:26, 245:1, 245:5, 245:22, 245:24, 245:27, 245:28, 246:8, 246:14, 246:18, 246:25, 246:28, 247:3, 247:7, 247:10, 247:17, 247:21, 247:23, 247:24, 247:26, 247:27, 248:3, 248:12, 248:17, 248:21, 248:27, 249:2, 249:8, 249:12, 249:15, 249:24, 249:28, 250:24, 250:28, 251:19, 251:23, 251:24, 251:28, 252:2, 252:16, 252:20, 252:22, 252:25, 252:26, 253:4, 253:8, 253:10, 253:12, 253:17, 253:23, 253:26, 254:2, 254:5, 254:10, 254:14, 254:15, 254:20, 254:22, 254:24, 254:25, 255:2, 255:3, 255:10, 255:12,	255:14, 255:16, 255:24, 255:26, 256:5, 256:19, 256:24, 257:3, 258:1, 258:4, 258:7, 258:10, 258:17, 258:19, 258:22, 258:23, 258:28, 259:5, 259:6, 259:7, 259:9, 259:11, 259:15, 259:20, 259:21, 259:23, 259:25, 259:26, 259:28, 260:1, 260:4, 260:5, 260:7, 260:10, 260:13, 260:18, 260:20, 260:23, 260:25, 261:12, 261:16, 262:10, 262:13, 262:15, 262:24, 263:1, 263:7, 263:26, 264:2, 265:1, 266:8, 266:16, 266:23, 266:28, 267:7, 267:10, 267:13, 267:16, 267:19, 267:21, 267:22, 267:26, 267:28, 268:2, 268:3, 268:4, 268:6, 268:12, 268:18, 268:24, 268:27, 268:28, 269:2, 269:8, 269:9, 269:11, 269:16, 269:19, 269:22, 269:24, 269:28, 270:4, 270:5, 270:8, 270:9, 270:12, 270:14, 270:16, 270:18, 270:22, 270:26, 271:1, 271:4, 271:7, 271:11, 271:14, 271:18, 271:21, 271:27, 272:2, 272:5, 272:8, 272:12, 272:15, 272:19, 272:24, 273:1, 273:6, 273:9, 273:12, 273:15, 273:19, 273:23, 274:1, 274:5, 274:9, 274:13, 274:17, 274:21, 274:23, 274:26, 275:5, 275:8, 275:10, 275:25, 275:28, 276:1, 276:4, 276:5, 276:14, 276:16,
---	--	--	--	--

276:20, 276:24, 276:28, 277:3, 277:7, 277:11, 277:14, 277:17, 277:21, 277:25, 278:3, 278:12, 278:19, 278:22, 278:26, 279:1, 279:4, 279:8, 279:12, 279:15, 279:18, 280:1, 280:7, 280:11, 280:14, 280:19, 280:22, 280:26, 281:1, 281:4, 281:12, 281:15, 282:5, 282:8, 282:9, 282:12, 282:14, 282:16, 282:18, 282:19, 282:25, 283:3, 283:8, 283:12, 283:14, 283:16, 283:18, 285:5, 285:28, 286:4, 287:13, 287:23, 287:27, 288:2, 288:6, 288:8, 288:10, 288:12, 288:14, 288:16, 288:18, 288:19, 288:21, 289:5, 289:9, 289:12, 289:16, 289:24, 289:25, 290:1, 290:21, 290:22, 290:24, 290:26, 290:28, 291:2, 291:7, 291:8, 291:11, 291:12, 291:16, 291:17, 291:19, 291:22, 291:24, 291:26, 291:28, 292:1, 292:2, 292:3, 292:16, 292:19, 292:20, 292:22, 292:24, 292:26, 292:28, 293:1, 293:3, 293:9, 293:10, 293:13, 293:19, 293:20, 293:24, 294:14, 294:16, 294:17, 296:24, 296:28, 297:8, 297:11, 298:14, 298:19, 298:23, 298:27, 299:7, 299:10, 299:13, 299:15, 300:7, 300:15, 300:18, 300:21,	300:25, 301:2, 301:4, 301:23, 301:28, 302:5, 302:8, 302:11, 302:13, 302:17, 302:22, 302:26, 302:28, 303:2, 303:4, 303:6, 303:11, 303:16, 303:19, 304:3, 304:5, 304:8, 304:11, 304:13, 304:14, 304:23, 304:25, 304:28, 305:1, 305:2, 305:8, 305:14, 305:28, 306:14, 306:18, 306:27, 307:5, 307:7, 307:9, 307:15, 307:17, 307:21, 307:24, 308:6, 308:8, 308:11, 308:18, 308:24, 308:28, 309:4, 309:10, 309:17, 309:25, 310:3, 310:7, 310:11, 310:15, 310:19, 310:21, 310:27, 311:2, 312:16, 313:7, 315:12, 315:18, 315:22, 316:4, 316:7 commissioner [3] - 118:17, 132:19, 279:26 Commissioner [36] - 8:6, 8:8, 8:10, 8:26, 43:22, 102:26, 108:5, 152:22, 152:23, 187:24, 187:26, 195:15, 207:15, 208:21, 213:5, 217:18, 218:14, 225:6, 236:21, 246:10, 257:22, 257:23, 265:9, 265:22, 277:6, 277:10, 278:5, 281:8, 282:20, 282:28, 285:2, 285:3, 285:12, 315:24 commissioners [1] - 153:1 COMMISSIONERS [1] - 2:3 Commissioners [19] - 8:20, 34:17, 67:23, 72:28, 93:9, 123:1,	135:16, 138:21, 145:3, 145:8, 155:13, 158:9, 187:20, 292:8, 292:18, 293:15, 295:7, 311:20, 316:1 committee [1] - 31:10 common [2] - 24:18, 56:14 communicate [4] - 38:25, 42:5, 42:7, 295:19 communicating [3] - 46:28, 57:2, 77:11 Communication [1] - 146:12 Communities [1] - 35:10 community [32] - 72:23, 93:11, 93:14, 93:18, 93:19, 95:16, 96:25, 97:9, 97:10, 97:21, 98:24, 99:1, 101:10, 107:23, 109:15, 110:21, 112:26, 113:9, 113:16, 115:22, 116:17, 116:27, 117:18, 117:23, 118:22, 119:6, 119:13, 121:1, 128:11, 131:13, 137:9 community's [1] - 93:20 COMPANY [2] - 40:26, 82:26 Company [2] - 6:4, 7:17 compared [4] - 187:13, 188:12, 236:12, 236:13 comparing [3] - 236:13, 236:17, 294:2 comparison [1] - 294:4 comparisons [1] - 220:12 compensated [1] - 179:6 compensation [6] - 198:24, 199:12, 200:22, 208:13, 219:1, 254:17 competence [2] - 151:28, 314:21 competent [1] - 72:18 COMPETITIVE [14] - 10:6, 10:28, 11:17,	12:5, 14:10, 14:27, 15:16, 16:12, 17:2, 17:22, 18:8, 18:18, 20:10, 20:26 Competitive [28] - 4:6, 4:9, 4:11, 4:13, 4:15, 4:18, 4:21, 4:23, 4:25, 5:4, 5:6, 5:8, 5:10, 5:11, 10:17, 11:5, 11:20, 12:8, 14:16, 15:5, 15:22, 16:17, 17:7, 17:27, 18:11, 18:21, 20:16, 21:2 competitive [1] - 40:7 complete [4] - 24:2, 73:13, 142:1, 253:20 completed [1] - 40:9 completely [7] - 26:25, 26:26, 130:11, 147:25, 257:22, 297:24, 297:26 completing [2] - 24:4, 24:5 completion [6] - 15:28, 23:5, 25:5, 32:6, 35:12, 40:12 complicated [3] - 73:6, 178:3, 296:4 comprehension [1] - 187:12 comps [1] - 220:7 computer [5] - 89:16, 173:13, 175:5, 263:22, 317:8 computer-aided [1] - 317:8 concept [1] - 209:13 concern [3] - 196:1, 284:10, 285:12 concerned [1] - 294:18 concerns [6] - 59:3, 87:25, 88:6, 145:26, 188:25, 299:19 concise [1] - 261:28 concluded [2] - 178:6, 187:5 concrete [1] - 49:20 concur [2] - 156:10, 200:26 concurrence [1] - 28:17 concurrs [1] - 90:19 condition [2] - 151:28, 314:21 conditional [2] - 88:1, 143:11 conductive [1] - 24:25	conduct [2] - 148:11, 249:17 Conference [1] - 1:14 confidential [1] - 275:1 configuration [1] - 79:12 confirm [1] - 313:13 Conflict [2] - 3:9, 63:26 conflict [3] - 68:21, 108:23, 109:1 conflicts [2] - 58:2, 108:28 confrontation [1] - 111:14 confusing [2] - 90:7, 301:19 confusion [5] - 174:3, 174:7, 175:16, 194:2, 300:1 conglomerate [1] - 64:19 conjunction [1] - 30:20 connection [1] - 27:17 CONNER [348] - 57:23, 57:28, 58:5, 58:10, 59:5, 68:3, 68:6, 68:10, 68:14, 68:20, 68:23, 69:3, 69:7, 69:11, 69:16, 69:19, 69:21, 69:23, 70:1, 70:5, 102:10, 102:20, 113:21, 113:24, 114:4, 114:9, 114:14, 114:18, 114:20, 114:25, 115:1, 115:5, 115:8, 115:13, 115:15, 115:21, 115:24, 116:2, 116:6, 116:9, 116:23, 116:26, 117:11, 117:16, 117:20, 117:25, 117:28, 118:2, 118:11, 119:20, 119:24, 119:28, 120:7, 120:16, 120:19, 120:27, 121:4, 122:9, 122:12, 122:27, 123:4, 132:11, 132:14, 132:19, 146:3, 147:1, 147:4, 147:10, 147:17, 147:19, 147:26, 148:1, 148:6, 148:13, 148:16,
--	---	---	---	---

148:19, 148:23, 149:6, 149:9, 149:15, 149:22, 150:12, 150:22, 150:25, 151:2, 151:6, 151:10, 151:14, 151:20, 151:25, 153:13, 153:17, 154:6, 158:10, 158:17, 158:24, 158:28, 159:2, 159:5, 159:13, 159:16, 159:20, 159:22, 160:3, 160:19, 160:27, 161:3, 161:5, 161:9, 161:14, 161:18, 161:22, 162:11, 162:13, 162:15, 162:18, 162:21, 162:25, 162:28, 163:3, 163:14, 164:6, 164:10, 164:24, 164:27, 165:10, 165:16, 165:21, 165:28, 166:16, 166:20, 167:10, 167:19, 167:25, 168:5, 168:11, 168:25, 169:2, 169:8, 169:11, 169:16, 169:20, 170:3, 170:6, 170:10, 170:23, 170:25, 170:28, 171:3, 171:11, 171:19, 171:28, 172:4, 172:12, 173:8, 173:18, 173:22, 173:25, 175:6, 175:11, 175:14, 175:24, 175:26, 175:28, 176:7, 176:19, 176:24, 179:10, 179:15, 179:22, 179:28, 180:6, 180:13, 180:17, 180:19, 180:22, 180:25, 181:2, 181:5, 182:13, 182:18, 182:23, 183:6, 183:10, 183:15, 183:17, 183:19, 183:21, 184:8, 184:13, 184:18, 184:22, 184:25, 185:3, 185:5, 185:12, 185:26,	186:1, 186:5, 186:10, 186:14, 186:17, 186:25, 193:7, 193:12, 194:6, 194:12, 197:2, 198:11, 201:12, 201:15, 205:10, 205:13, 205:24, 205:27, 206:5, 206:10, 206:14, 206:18, 206:21, 206:23, 207:3, 207:5, 207:8, 207:11, 207:22, 207:25, 207:27, 208:2, 208:21, 212:9, 212:12, 212:17, 212:21, 212:28, 213:18, 214:3, 214:7, 214:17, 214:21, 216:6, 216:11, 226:1, 227:5, 227:9, 227:13, 242:3, 242:9, 242:12, 242:17, 249:6, 249:10, 249:13, 249:18, 249:21, 249:25, 249:27, 250:2, 256:21, 256:26, 257:5, 257:15, 258:2, 258:6, 258:9, 258:12, 258:18, 260:8, 260:12, 260:15, 260:19, 268:10, 268:13, 268:20, 269:14, 269:18, 269:21, 269:23, 269:26, 270:7, 272:28, 275:2, 275:7, 275:9, 275:12, 281:8, 281:14, 281:20, 281:23, 282:20, 283:20, 283:28, 284:4, 284:24, 285:7, 286:1, 286:20, 294:21, 296:26, 297:2, 297:10, 297:12, 298:9, 298:15, 299:18, 300:8, 300:14, 300:17, 300:20, 300:23, 300:28, 301:3, 301:8, 302:3, 302:6, 302:16, 302:20, 302:25, 303:10, 303:20, 304:16, 304:26, 305:3,	305:20, 305:24, 306:1, 306:21, 306:24, 308:12, 308:20, 308:23, 308:26, 309:3, 309:5, 309:12, 310:23, 310:26, 310:28, 311:4, 311:27, 312:1, 312:8, 312:18, 312:21, 313:1, 313:15, 314:15, 315:16 Conner ^[5] - 3:8, 59:3, 212:5, 267:23, 281:13 conscience ^[2] - 211:6, 280:4 consensus ^[14] - 174:23, 186:11, 186:13, 194:10, 203:24, 203:27, 205:14, 205:17, 206:1, 225:26, 227:10, 230:5, 275:26, 276:9 Consent ^[50] - 9:27, 10:1, 10:24, 10:25, 10:26, 11:11, 11:14, 11:15, 11:28, 12:1, 14:24, 15:12, 16:10, 16:25, 16:28, 17:17, 18:3, 18:6, 22:2, 33:21, 33:24, 34:18, 34:19, 35:17, 39:21, 40:22, 40:24, 41:21, 41:24, 58:18, 58:19, 62:8, 62:14, 68:1, 69:17, 71:4, 71:10, 81:25, 81:26, 81:28, 134:27, 135:2, 136:4, 136:6, 136:12, 137:23, 137:28, 139:1, 139:2, 139:3 consent ^[45] - 10:3, 11:13, 11:27, 12:3, 14:25, 15:11, 15:14, 16:9, 16:27, 17:19, 17:20, 18:5, 18:14, 18:16, 19:23, 19:26, 20:1, 20:20, 20:21, 20:22, 20:24, 21:9, 21:11, 21:12, 22:4, 22:5, 33:23, 34:20, 34:22, 35:16, 35:18, 36:18, 36:20, 36:21, 39:22, 40:21, 41:22, 62:13, 82:13, 82:14, 84:2, 84:4, 86:20,	135:1, 136:15 consequence ^[2] - 270:2 consider ^[7] - 41:28, 57:12, 209:20, 219:22, 259:16, 294:28, 297:19 Considerations ^[1] - 7:9 CONSIDERATIONS ^[1] - 144:26 considered ^[4] - 86:6, 87:22, 118:12, 301:26 considering ^[1] - 219:21 consist ^[1] - 125:12 consisted ^[1] - 71:21 consistent ^[1] - 272:20 constantly ^[1] - 195:13 Constitution ^[1] - 72:13 Constitutionally ^[1] - 289:26 construct ^[1] - 52:25 Construct ^[1] - 6:8 CONSTRUCT ^[1] - 52:20 CONSTRUCTION ^[1] - 134:6 Construction ^[6] - 6:26, 10:20, 11:23, 36:3, 46:12, 83:23 construction ^[9] - 12:17, 21:25, 33:3, 48:15, 48:18, 48:21, 50:21, 51:10, 220:20 consultants ^[1] - 221:6 cont ^[7] - 3:1, 3:3, 5:1, 5:3, 6:1, 6:3, 7:1 contact ^[1] - 265:14 contend ^[1] - 124:24 continue ^[11] - 73:1, 76:4, 76:22, 102:4, 137:1, 160:20, 212:10, 212:22, 243:6, 258:15, 275:21 continued ^[2] - 74:11, 87:10 continues ^[2] - 242:21, 269:13 CONTRACT ^[2] - 37:2, 144:26 contract ^[109] - 12:13, 12:16, 12:22, 12:25, 13:4, 13:13, 14:22,	15:10, 16:1, 21:27, 27:26, 34:13, 37:11, 38:3, 83:17, 83:23, 145:6, 146:5, 146:7, 146:13, 146:14, 153:20, 153:23, 153:25, 154:12, 154:14, 154:20, 160:21, 161:11, 163:9, 166:27, 166:28, 167:13, 167:28, 168:1, 168:13, 168:15, 171:19, 172:14, 173:5, 173:6, 174:8, 174:23, 175:7, 175:10, 175:12, 176:3, 180:3, 182:12, 182:15, 182:20, 184:1, 185:15, 193:4, 193:13, 193:20, 194:14, 201:5, 201:10, 201:23, 205:8, 205:19, 205:20, 206:2, 206:6, 210:18, 212:3, 212:4, 212:18, 212:22, 212:25, 221:12, 221:14, 221:15, 226:3, 226:6, 226:14, 232:28, 233:8, 245:20, 245:21, 249:14, 257:10, 260:6, 260:11, 260:12, 260:15, 269:12, 270:17, 281:16, 282:3, 290:25, 297:17, 299:17, 300:4, 303:13, 310:14, 310:22, 310:28, 311:5, 311:7, 312:4, 312:7, 312:11, 312:12, 312:14, 312:19 Contract ^[3] - 5:25, 7:9, 35:10 Contracting ^[1] - 21:23 contractor ^[1] - 50:26 Contractors ^[1] - 15:26 contractors ^[1] - 221:5 CONTRACTS ^[1] - 144:27 contracts ^[33] - 145:4, 149:18, 155:10,
---	---	--	--	---

155:27, 158:12, 167:14, 178:6, 182:8, 182:27, 185:14, 193:24, 193:26, 199:15, 201:4, 205:8, 207:17, 210:7, 210:8, 212:2, 213:8, 257:28, 267:1, 275:15, 276:3, 276:4, 282:3, 282:5, 286:10, 290:19, 290:20, 311:17, 311:25	15:8 corner [1] - 49:2 Coroner [3] - 71:21, 71:22, 195:16 coroner's [1] - 73:14 Coroner's [4] - 71:17, 71:20, 72:11, 77:17 Coroners [2] - 73:11, 76:15 coroners [1] - 72:2 Coroner's [1] - 7:6 CORONER'S [1] - 71:12 Corporate [1] - 6:14 CORPORATE [1] - 82:3 corporate [1] - 82:9 Corporation [2] - 14:20, 15:9 correct [25] - 29:10, 44:10, 44:11, 45:4, 86:16, 92:14, 112:1, 114:16, 114:17, 120:13, 162:11, 162:13, 162:15, 167:4, 170:5, 178:7, 197:4, 198:11, 207:21, 253:21, 267:12, 302:5, 311:25, 312:7, 317:10 corrected [5] - 16:3, 37:14, 38:12, 264:7 Corrections [5] - 4:16, 5:21, 14:17, 35:3, 35:9 CORRECTIONS [2] - 14:11, 34:25 cost [12] - 37:19, 38:4, 61:20, 75:5, 75:15, 75:18, 75:19, 96:19, 99:11, 99:23, 121:17, 134:24 costing [1] - 96:18 costs [1] - 30:22 Council [4] - 3:6, 6:23, 76:3, 93:1 COUNCIL [2] - 6:22, 132:24 council [2] - 58:1, 105:4 counsel [1] - 317:12 Counsel [2] - 3:9, 63:26 counteroffer [1] - 226:19 Counties [1] - 291:4 counties [7] - 70:9, 192:20, 197:9, 224:27, 225:3,	251:10, 294:2 country [1] - 124:9 country [24] - 17:14, 39:2, 40:12, 64:16, 65:20, 66:15, 74:17, 76:1, 79:7, 112:23, 146:8, 164:18, 187:7, 187:9, 187:17, 188:4, 224:13, 250:18, 264:18, 279:22, 288:23, 293:25, 294:3, 313:24 COUNTY [38] - 1:3, 2:3, 8:13, 10:7, 11:1, 11:18, 12:6, 14:11, 14:28, 15:17, 16:13, 17:3, 17:23, 18:9, 18:19, 20:11, 20:27, 21:15, 22:18, 34:1, 34:25, 34:26, 35:23, 43:9, 43:10, 58:23, 64:7, 71:12, 78:18, 81:11, 82:3, 136:17, 138:17, 138:18, 139:9, 317:4 County [218] - 1:13, 2:9, 3:7, 3:8, 4:4, 4:7, 4:7, 4:10, 4:12, 4:14, 4:16, 4:19, 4:22, 4:24, 4:26, 5:4, 5:6, 5:8, 5:10, 5:12, 5:15, 5:16, 5:18, 5:20, 5:21, 5:23, 6:5, 6:6, 6:9, 6:12, 6:14, 7:6, 7:7, 7:16, 7:20, 7:22, 7:23, 8:5, 9:2, 10:18, 12:13, 14:17, 15:6, 15:23, 16:18, 17:28, 18:22, 21:3, 22:23, 34:5, 35:3, 35:8, 37:18, 40:13, 43:14, 43:15, 44:28, 49:16, 59:1, 63:26, 64:16, 64:18, 64:27, 64:28, 65:3, 65:9, 65:17, 65:19, 66:3, 66:17, 66:22, 66:28, 67:3, 67:6, 69:4, 71:20, 71:26, 71:27, 72:4, 72:17, 73:19, 76:4, 76:18, 77:14, 79:8, 83:17, 83:21, 83:25, 85:23, 87:15, 91:14, 94:2, 95:17, 101:24, 101:27, 102:3, 102:7, 104:15, 104:16, 105:24, 110:13, 111:6, 111:7, 117:7, 118:3, 119:3,	120:10, 120:20, 121:5, 125:21, 126:2, 126:23, 128:22, 130:12, 130:13, 137:11, 139:16, 142:16, 144:23, 146:10, 153:8, 153:10, 153:20, 153:27, 154:7, 159:26, 161:19, 161:25, 161:26, 162:1, 162:2, 162:5, 162:17, 162:18, 163:18, 164:14, 164:16, 168:17, 169:27, 170:14, 171:7, 171:16, 185:20, 187:2, 187:19, 187:23, 188:14, 188:16, 189:19, 192:21, 192:22, 193:18, 206:19, 207:18, 213:7, 215:16, 215:18, 218:9, 220:12, 220:16, 221:5, 242:6, 242:13, 250:18, 251:26, 257:7, 257:11, 258:14, 258:21, 258:25, 263:3, 263:18, 264:10, 273:26, 273:27, 279:26, 282:28, 284:7, 287:10, 291:14, 292:7, 292:12, 292:17, 293:15, 293:16, 294:1, 294:19, 295:8, 295:9, 295:15, 296:6, 296:11, 296:17, 297:25, 297:26, 298:7, 299:17, 300:5, 302:7, 302:24, 303:12, 303:23, 303:24, 303:25, 303:28, 305:4, 305:26, 306:10, 306:26, 307:10, 308:14, 308:15, 308:17, 312:9, 312:13, 316:11 County's [3] - 57:12, 113:7, 220:18 County-owned [3] - 49:16, 101:24, 102:7 County [1] - 7:5	countywide [1] - 76:13 couple [16] - 9:6, 9:17, 12:10, 24:17, 51:20, 59:6, 79:15, 84:8, 91:12, 128:3, 130:27, 136:20, 149:3, 165:18, 167:21, 185:13 course [7] - 42:20, 72:16, 102:11, 148:11, 152:9, 224:12, 315:2 court [2] - 64:4, 84:15 Court [4] - 1:15, 71:23, 87:20, 317:25 COURTHOUSE [2] - 22:18, 35:24 courthouse [3] - 23:25, 35:28, 265:25 Courthouse [2] - 22:24, 22:27 Courthouse [1] - 5:23 Courthouse [1] - 5:17 cover [5] - 71:26, 76:15, 119:24, 135:19, 171:15 coverage [1] - 171:14 covered [3] - 55:22, 100:12, 242:10 covers [1] - 96:17 coy [1] - 24:26 crack [1] - 200:9 crap [5] - 276:26, 276:28, 277:2, 277:6, 277:16 CREACH [1] - 163:25 create [3] - 134:9, 175:16, 180:4 created [2] - 46:20, 173:14 creating [2] - 80:6, 175:21 credit [3] - 200:10, 250:19, 251:2 CREECH [56] - 25:12, 25:18, 25:23, 25:28, 97:9, 140:10, 140:14, 140:21, 141:2, 141:6, 163:21, 164:4, 164:8, 164:13, 164:16, 164:20, 191:6, 191:10, 191:13, 191:15, 191:18, 216:19, 217:4, 218:1, 230:22, 231:12,
--	--	--	--	---

231:15, 246:27, 247:4, 247:9, 248:2, 248:4, 248:8, 248:14, 248:18, 248:22, 249:1, 250:9, 250:14, 250:26, 251:1, 261:5, 298:6, 300:11, 307:12, 307:16, 307:18, 313:9, 313:11, 313:17, 313:21, 313:24, 313:27, 314:2, 314:5, 314:8 Creech [1] - 2:12 CREEK [1] - 21:15 Creek [2] - 5:14, 21:21 cremations [1] - 76:4 crew [3] - 50:28, 61:7, 61:10 crews [1] - 61:10 cropped [1] - 48:4 cross [1] - 40:17 crossed [2] - 61:28, 200:13 crucial [2] - 73:17, 73:20 culvert [1] - 51:9 current [12] - 25:3, 77:2, 79:12, 85:26, 177:3, 179:5, 190:19, 198:26, 218:28, 253:21, 255:7, 300:26 curtain [1] - 49:9 curve [1] - 45:9 custody [1] - 74:15 cut [2] - 84:21, 263:16	59:5, 68:3, 68:6, 68:10, 68:14, 68:20, 68:23, 69:3, 69:7, 69:11, 69:16, 69:19, 69:21, 69:23, 70:1, 70:5, 102:10, 102:20, 113:21, 113:24, 114:4, 114:9, 114:14, 114:18, 114:20, 114:25, 115:1, 115:5, 115:8, 115:13, 115:15, 115:21, 115:24, 116:2, 116:6, 116:9, 116:23, 116:26, 117:11, 117:16, 117:20, 117:25, 117:28, 118:2, 118:11, 119:20, 119:24, 119:28, 120:7, 120:16, 120:19, 120:27, 121:4, 122:9, 122:12, 122:27, 123:4, 132:11, 132:14, 132:19, 146:3, 147:1, 147:4, 147:10, 147:17, 147:19, 147:26, 148:1, 148:6, 148:13, 148:16, 148:19, 148:23, 149:6, 149:9, 149:15, 149:22, 150:12, 150:22, 150:25, 151:2, 151:6, 151:10, 151:14, 151:20, 151:25, 153:13, 153:17, 154:6, 158:10, 158:17, 158:24, 158:28, 159:2, 159:5, 159:13, 159:16, 159:20, 159:22, 160:3, 160:19, 160:27, 161:3, 161:5, 161:9, 161:14, 161:18, 161:22, 162:11, 162:13, 162:15, 162:18, 162:21, 162:25, 162:28, 163:3, 163:14, 164:6, 164:10, 164:24, 164:27, 165:10, 165:16, 165:21, 165:28, 166:16, 166:20, 167:10, 167:19,	167:25, 168:5, 168:11, 168:25, 169:2, 169:8, 169:11, 169:16, 169:20, 170:3, 170:6, 170:10, 170:23, 170:25, 170:28, 171:3, 171:11, 171:19, 171:28, 172:4, 172:12, 173:8, 173:18, 173:22, 173:25, 175:6, 175:11, 175:14, 175:24, 175:26, 175:28, 176:7, 176:19, 176:24, 179:10, 179:15, 179:22, 179:28, 180:6, 180:13, 180:17, 180:19, 180:22, 180:25, 181:2, 181:5, 182:13, 182:18, 182:23, 183:6, 183:10, 183:15, 183:17, 183:19, 183:21, 184:8, 184:13, 184:18, 184:22, 184:25, 185:3, 185:5, 185:12, 185:26, 186:1, 186:5, 186:10, 186:14, 186:17, 186:25, 193:7, 193:12, 194:6, 194:12, 197:2, 198:11, 201:12, 201:15, 205:10, 205:13, 205:24, 205:27, 206:5, 206:10, 206:14, 206:18, 206:21, 206:23, 207:3, 207:5, 207:8, 207:11, 207:22, 207:25, 207:27, 208:2, 208:21, 212:9, 212:12, 212:17, 212:21, 212:28, 213:18, 214:3, 214:7, 214:17, 214:21, 216:6, 216:11, 226:1, 227:5, 227:9, 227:13, 242:3, 242:9, 242:12, 242:17, 249:6, 249:10, 249:13, 249:18, 249:21, 249:25, 249:27,	250:2, 256:21, 256:26, 257:5, 257:15, 258:2, 258:6, 258:9, 258:12, 258:18, 260:8, 260:12, 260:15, 260:19, 268:10, 268:13, 268:20, 269:14, 269:18, 269:21, 269:23, 269:26, 270:7, 272:28, 275:2, 275:7, 275:9, 275:12, 281:8, 281:14, 281:20, 281:23, 282:20, 283:20, 283:28, 284:4, 284:24, 285:7, 286:1, 286:20, 294:21, 296:26, 297:2, 297:10, 297:12, 298:9, 298:15, 299:18, 300:8, 300:14, 300:17, 300:20, 300:23, 300:28, 301:3, 301:8, 302:3, 302:6, 302:16, 302:20, 302:25, 303:10, 303:20, 304:16, 304:26, 305:3, 305:20, 305:24, 306:1, 306:21, 306:24, 308:12, 308:20, 308:23, 308:26, 309:3, 309:5, 309:12, 310:23, 310:26, 310:28, 311:4, 311:27, 312:1, 312:8, 312:18, 312:21, 313:1, 313:15, 314:15, 315:16 David [13] - 3:8, 58:6, 103:2, 227:4, 244:2, 244:12, 244:24, 248:19, 248:24, 256:19, 266:20, 295:6, 295:13 Davis [10] - 2:6, 152:23, 192:15, 213:6, 236:21, 257:22, 277:6, 277:10, 278:5, 315:24 DAVIS [452] - 11:15, 12:1, 18:27, 19:8, 19:13, 19:18, 19:22, 19:27, 20:4, 20:7,	22:2, 22:15, 23:1, 24:1, 24:7, 24:11, 24:16, 25:15, 25:25, 26:1, 26:15, 26:20, 26:27, 27:3, 27:6, 27:10, 28:10, 28:15, 28:24, 28:27, 29:3, 29:7, 29:12, 29:16, 29:27, 30:3, 31:7, 31:10, 31:14, 31:18, 31:21, 32:3, 32:7, 32:26, 33:25, 34:19, 35:16, 36:21, 38:10, 38:20, 38:24, 39:8, 39:10, 39:12, 39:17, 39:22, 40:21, 41:25, 42:9, 42:13, 42:22, 43:1, 43:5, 58:20, 62:12, 62:14, 63:17, 67:7, 69:5, 80:9, 80:12, 82:14, 84:5, 84:10, 84:14, 84:22, 92:23, 113:11, 140:24, 140:28, 143:5, 143:13, 143:18, 143:24, 144:1, 145:23, 147:15, 147:18, 147:20, 147:24, 147:27, 149:4, 149:7, 150:28, 152:20, 154:3, 155:18, 156:1, 156:4, 156:10, 156:17, 156:20, 156:24, 157:13, 157:16, 158:5, 158:7, 161:13, 161:15, 161:21, 162:8, 162:14, 163:12, 163:26, 164:1, 164:15, 164:22, 166:13, 166:24, 166:28, 169:18, 170:1, 170:8, 170:15, 170:21, 170:24, 170:26, 171:10, 171:24, 172:6, 172:16, 172:20, 172:26, 173:1, 173:7, 174:4, 176:14, 177:1, 177:10, 177:16, 177:20, 177:25, 178:13, 178:20, 178:25, 178:28, 179:14, 179:21, 179:26, 180:5, 180:10, 180:15, 180:18, 180:20,
D				
daily [1] - 11:23 damn [1] - 262:22 Daphne [2] - 91:20, 109:17 Daren [1] - 71:22 darn [1] - 26:3 dart [1] - 217:1 darts [1] - 217:3 data [7] - 45:9, 144:6, 144:7, 188:9, 188:11 date [10] - 12:18, 28:6, 104:6, 130:26, 131:13, 181:12, 183:22, 184:16, 184:18, 185:6 dates [1] - 83:24 DAVID [348] - 57:23, 57:28, 58:5, 58:10,				

180:26, 181:4, 181:7, 181:16, 182:5, 182:16, 184:6, 184:12, 184:24, 184:27, 185:4, 187:10, 188:26, 189:13, 191:2, 192:7, 193:11, 194:19, 195:20, 198:8, 198:12, 198:15, 198:18, 199:24, 200:2, 200:12, 200:14, 200:28, 201:25, 202:1, 202:6, 202:11, 202:14, 202:18, 202:22, 203:2, 203:9, 203:13, 203:19, 204:9, 204:17, 204:22, 204:24, 207:21, 207:24, 207:26, 208:1, 208:4, 208:8, 208:12, 208:18, 209:3, 209:12, 209:17, 209:21, 210:11, 210:15, 210:19, 210:22, 211:1, 211:20, 211:23, 213:14, 214:2, 214:25, 215:3, 215:8, 215:11, 215:22, 216:1, 216:26, 217:2, 217:21, 217:28, 218:15, 218:20, 218:24, 218:27, 219:9, 219:18, 219:24, 220:4, 221:21, 222:5, 222:10, 222:22, 222:25, 222:28, 223:6, 225:7, 225:12, 226:7, 226:11, 226:17, 226:20, 227:25, 228:4, 228:14, 228:16, 228:25, 229:26, 230:6, 230:11, 230:14, 230:23, 230:27, 231:8, 231:22, 232:3, 232:26, 233:1, 233:13, 233:22, 234:1, 234:10, 234:14, 234:21, 237:16, 238:7, 238:13, 238:18, 238:24, 238:28,	239:8, 240:2, 240:7, 240:23, 240:27, 241:18, 241:26, 245:24, 245:27, 247:3, 247:23, 247:26, 248:3, 248:27, 251:19, 251:23, 252:16, 252:20, 252:22, 252:26, 253:8, 253:12, 254:14, 254:25, 256:24, 258:4, 258:7, 258:10, 258:22, 259:6, 259:9, 259:15, 259:21, 259:25, 259:28, 260:4, 260:7, 260:23, 261:16, 262:10, 262:13, 262:15, 262:24, 264:2, 265:1, 270:9, 270:14, 270:18, 270:22, 270:26, 271:1, 271:4, 271:7, 271:11, 271:14, 271:18, 271:21, 271:27, 272:2, 272:5, 272:8, 272:12, 272:15, 272:19, 273:6, 273:9, 273:12, 274:1, 274:5, 274:9, 274:13, 274:17, 274:21, 274:26, 275:5, 275:8, 275:10, 275:28, 276:4, 276:14, 276:20, 276:24, 276:28, 277:3, 277:7, 277:11, 277:14, 277:17, 277:21, 277:25, 278:19, 278:22, 278:26, 279:1, 279:4, 279:8, 279:12, 279:15, 279:18, 280:1, 280:7, 280:11, 280:14, 280:19, 280:22, 280:26, 281:1, 282:5, 282:9, 282:12, 282:16, 282:19, 283:16, 288:10, 288:14, 288:18, 288:21, 289:9, 289:16, 289:25, 290:21, 290:24, 290:28, 291:7, 291:11, 291:16, 291:19,	291:24, 291:28, 292:2, 292:16, 292:20, 292:24, 292:28, 293:3, 293:10, 293:19, 297:11, 298:14, 298:19, 298:23, 298:27, 299:10, 299:13, 300:15, 300:18, 300:21, 300:25, 301:2, 301:4, 301:28, 302:5, 302:11, 302:26, 302:28, 303:4, 303:16, 303:19, 304:3, 304:13, 304:25, 304:28, 305:2, 307:7, 307:21, 307:24, 308:11, 309:4, 309:17, 310:27, 311:2, 312:16, 313:7, 315:12, 315:22 Dawn [4] - 3:12, 64:13, 64:27, 66:18 DAWN [1] - 66:20 days [18] - 15:28, 21:26, 35:13, 66:21, 72:7, 80:8, 137:13, 140:6, 141:17, 142:23, 142:25, 149:26, 212:22, 255:11, 269:3, 269:4, 269:5, 270:2 de [1] - 254:7 de-funded [1] - 254:7 deadline [1] - 142:20 deal [10] - 61:27, 93:7, 133:22, 195:11, 195:13, 200:5, 207:17, 262:9, 270:10, 276:27 dealing [7] - 24:20, 43:26, 71:19, 136:26, 221:5, 221:6, 239:10 death [8] - 72:9, 72:16, 72:18, 72:20, 73:2, 74:6, 75:21, 76:27 deaths [4] - 72:13, 73:27, 74:2, 74:3 December [1] - 12:25 decide [22] - 26:8, 105:12, 141:2, 149:27, 183:28, 186:6, 186:8, 186:21, 193:8, 193:27, 213:4,	226:12, 242:13, 246:19, 249:19, 261:24, 281:24, 284:13, 285:18, 293:5, 301:10, 311:6 decided [9] - 9:4, 65:10, 155:27, 164:21, 237:12, 275:26, 286:9, 295:10, 297:15 deciding [1] - 303:27 decision [9] - 87:20, 109:8, 134:23, 155:6, 213:3, 225:8, 255:13, 285:19, 287:16 decisionmaking [3] - 23:11, 150:5, 269:5 decisions [8] - 105:2, 252:4, 256:11, 261:28, 295:22, 295:25, 298:11, 298:12 declaration [2] - 152:12, 315:3 deemed [1] - 188:23 deeper [1] - 173:21 defeated [1] - 123:9 definitely [2] - 66:25, 284:25 definitions [1] - 89:10 degree [2] - 177:28, 178:2 DEIDRA [1] - 134:7 Deidra [3] - 2:14, 220:15, 259:11 Delegation [1] - 77:15 delete [1] - 193:10 deliberations [1] - 293:6 deliver [1] - 116:26 delivered [3] - 114:15, 115:2, 115:21 delivery [1] - 115:26 Delta [1] - 36:8 denied [1] - 236:22 deny [1] - 76:9 Department [25] - 2:11, 2:13, 2:15, 2:17, 2:19, 2:20, 2:21, 2:23, 2:25, 2:27, 3:7, 3:19, 6:14, 6:17, 6:26, 18:22, 19:4, 34:6, 34:10, 41:3, 73:24, 74:8, 74:12, 83:18, 180:11 DEPARTMENT [6] - 8:14, 18:19, 34:1, 82:3, 83:12, 134:6 department [7] - 82:6,	184:9, 198:23, 247:2, 262:18, 275:16, 295:17 Department.. [1] - 4:4 Department..... [2] - 5:9, 5:19 Department/Director [1] - 2:10 departments [5] - 42:20, 43:3, 235:5, 246:22, 250:6 Deputy [2] - 71:22, 76:15 deputy [1] - 72:2 describe [1] - 44:6 describing [1] - 263:4 description [12] - 300:12, 300:19, 302:1, 302:15, 302:18, 302:23, 303:8, 303:15, 303:23, 304:1, 308:4, 308:13 descriptions [1] - 289:26 deserved [1] - 233:12 Design [2] - 134:9 design [6] - 23:11, 25:3, 32:6, 40:8, 220:19, 250:21 designated [2] - 185:17, 185:19 designation [2] - 85:11, 87:28 designed [2] - 24:24, 29:17 desire [1] - 199:15 desired [1] - 189:4 details [1] - 24:27 Detention [2] - 2:28, 146:9 determine [1] - 72:16 determined [1] - 210:26 detriment [1] - 174:11 Develop [1] - 146:10 development [6] - 24:20, 25:11, 46:14, 48:3, 48:4, 49:16 die [1] - 72:17 difference [2] - 13:22, 209:11 different [34] - 20:6, 20:7, 26:26, 27:19, 79:7, 86:5, 109:3, 110:9, 113:14, 115:22, 115:26, 118:8, 175:21, 177:12, 185:13,
--	--	--	--	---

<p>187:6, 216:7, 216:8, 216:9, 216:24, 217:6, 220:25, 235:10, 236:19, 256:28, 282:3, 282:4, 285:2, 290:14, 291:6, 291:9, 304:27 differently [1] - 166:1 difficult [2] - 187:3, 262:23 dig [3] - 173:20, 263:23 dilemma [1] - 264:9 direct [8] - 68:16, 69:24, 196:28, 197:2, 197:4, 197:6, 197:7, 198:3 direction [3] - 101:14, 197:8, 226:2 directly [3] - 102:21, 187:19, 189:22 Director [104] - 2:14, 2:16, 2:20, 2:21, 2:24, 2:28, 3:4, 3:18, 36:2, 40:6, 100:25, 146:8, 146:9, 146:11, 146:12, 153:28, 154:3, 154:7, 155:11, 155:12, 179:2, 181:10, 190:4, 191:10, 191:22, 195:11, 195:23, 198:22, 200:5, 200:21, 207:18, 211:17, 211:18, 213:7, 235:14, 239:20, 240:3, 240:24, 241:5, 241:22, 242:6, 242:25, 253:16, 254:3, 254:8, 254:26, 254:27, 255:7, 255:21, 257:1, 257:11, 258:13, 259:18, 259:27, 260:3, 260:14, 260:16, 261:2, 261:5, 266:10, 267:17, 270:10, 276:6, 283:17, 283:25, 285:1, 285:4, 285:27, 286:6, 289:3, 289:10, 290:12, 292:10, 296:6, 296:10, 296:12, 296:18, 297:4, 297:6,</p>	<p>297:15, 297:25, 298:6, 298:21, 299:16, 300:3, 300:5, 300:12, 301:21, 302:12, 302:14, 302:19, 304:1, 305:13, 305:25, 306:8, 307:1, 307:4, 307:13, 308:3, 313:28, 314:5 director [4] - 25:7, 64:14, 66:18, 200:23 Director's [9] - 198:28, 259:22, 286:21, 302:1, 302:15, 303:8, 305:5, 306:3, 309:13 Director/ Administrator [1] - 241:25 dirt [1] - 49:5 dirty [1] - 125:25 disabilities [1] - 64:23 disagree [2] - 150:9, 210:11 disagreement [1] - 115:2 Discontinuation [1] - 6:13 DISCONTINUATION [1] - 82:2 discontinue [1] - 82:8 discovered [1] - 192:11 discretion [2] - 155:1, 155:6 discuss [28] - 59:4, 59:7, 59:10, 77:5, 121:5, 123:14, 131:18, 137:28, 149:3, 149:10, 149:11, 150:11, 150:15, 151:27, 152:2, 152:4, 186:19, 186:20, 205:15, 210:8, 213:10, 213:12, 213:24, 294:9, 294:11, 314:20, 314:23, 314:25 discussed [4] - 63:14, 88:13, 123:6, 123:21 discussing [5] - 87:12, 179:24, 194:11, 252:3, 268:8 discussion [20] - 27:15, 104:6, 114:5, 150:14, 150:16, 152:13, 152:25,</p>	<p>172:17, 182:26, 186:22, 201:16, 202:9, 204:3, 207:12, 207:13, 294:23, 297:22, 298:10, 315:3, 315:25 discussions [5] - 115:25, 132:12, 132:20, 198:26, 257:19 dishes [1] - 19:21 dismissed [1] - 157:7 DISPOSAL [1] - 82:2 DISPOSAL [1] - 6:13 disrespect [1] - 200:2 distinction [1] - 26:9 District [9] - 5:23, 35:27, 74:12, 76:28, 77:4, 85:24, 87:16, 91:23, 265:23 district [2] - 91:24, 118:23 DISTRICT [1] - 35:23 ditch [8] - 46:17, 47:14, 48:14, 49:16, 49:17, 51:5, 51:6, 51:11 divided [1] - 86:3 division [1] - 284:5 dizzy [1] - 53:3 document [2] - 88:26, 227:11 documentation [1] - 140:17 documents [1] - 40:10 Doe [1] - 76:1 dog [1] - 9:8 dollar [5] - 28:1, 75:17, 199:23, 201:10, 267:18 dollars [23] - 11:24, 11:25, 13:22, 15:27, 21:24, 28:11, 34:14, 35:12, 36:5, 36:9, 37:20, 61:21, 75:9, 75:10, 81:24, 83:21, 99:24, 120:9, 120:23, 124:26, 134:11, 174:17, 178:11 donate [2] - 57:17, 57:18 donation [1] - 58:13 donations [1] - 76:6 done [55] - 13:18, 25:17, 29:13, 29:15, 38:1, 39:3, 46:21, 48:13, 73:24, 77:24, 87:27, 115:18,</p>	<p>115:28, 116:23, 117:1, 117:4, 118:14, 118:15, 120:23, 143:8, 149:19, 149:21, 150:4, 150:6, 157:5, 165:23, 189:10, 192:5, 192:6, 194:24, 195:1, 199:10, 200:27, 227:16, 235:25, 261:26, 261:27, 262:18, 265:4, 273:28, 275:27, 276:6, 286:28, 288:24, 289:3, 289:20, 290:8, 290:9, 291:2, 294:25, 295:1, 301:13, 306:28, 307:26 door [2] - 9:1, 62:4 Dorgan [3] - 6:20, 85:8, 87:14 DORGAN [1] - 84:28 dotted [1] - 61:28 doubt [2] - 205:22, 241:17 down [24] - 37:22, 48:17, 49:25, 77:23, 77:25, 84:16, 142:2, 181:13, 192:13, 210:7, 216:15, 216:17, 220:24, 230:26, 231:4, 231:21, 237:15, 251:5, 286:17, 287:8, 295:12, 309:1, 309:16, 317:7 downgrade [1] - 134:23 drain [1] - 47:14 DRAINAGE [1] - 43:9 Drainage [1] - 6:5 drainage [9] - 43:14, 43:25, 44:27, 45:1, 46:16, 48:14, 49:6, 51:6, 51:10 drains [2] - 40:17, 46:16 drawn [1] - 9:10 drive [2] - 251:12, 251:13 drives [1] - 294:23 driving [4] - 9:15, 47:15, 251:15, 251:16 Drop [1] - 170:16 drop [2] - 38:2, 105:17 dropping [2] - 219:14,</p>	<p>219:16 drowning [1] - 74:2 drug [4] - 55:15, 74:3, 77:21 drug-related [1] - 74:3 dry [1] - 247:25 dual [7] - 56:14, 56:24, 198:27, 248:10, 303:3, 303:7 due [3] - 40:3, 169:12, 192:14 dump [1] - 48:20 during [3] - 48:15, 56:6, 270:1 duties [17] - 72:3, 155:4, 250:14, 257:12, 300:22, 301:26, 302:12, 302:24, 303:25, 305:26, 306:4, 306:9, 307:3, 307:6, 307:11, 308:16, 309:20 Dyas [1] - 71:22</p>
E				
<p>E-1 [1] - 81:18 e-1 [2] - 6:12, 81:11 e-2 [2] - 6:13, 82:2 e-mail [3] - 74:10, 175:3, 295:28 early [2] - 39:7, 84:18 earn [1] - 72:24 Earth [1] - 46:22 EASEMENT [1] - 43:9 Easement [1] - 6:6 easement [4] - 43:15, 44:28, 45:2, 50:22 easier [2] - 242:27, 297:19 easily [2] - 175:16, 200:27 east [5] - 45:23, 49:1, 85:22, 87:16, 91:13 easy [1] - 107:15 eat [2] - 19:15, 19:28 eaten [3] - 19:1, 19:2, 100:3 economic [2] - 24:20, 25:11 economically [1] - 24:28 economy [1] - 134:15 EDA [2] - 24:14, 30:17 EDUCATION [3] - 14:28, 138:17, 138:18 Education [5] - 4:19,</p>				

7:23, 7:23, 15:7, 138:21 educational [1] - 263:10 effect [1] - 198:20 effective [8] - 34:12, 67:5, 95:23, 182:27, 182:28, 183:2, 185:9, 185:11 effectively [1] - 104:27 efficient [1] - 61:11 efficiently [1] - 104:27 effort [1] - 290:7 eight [18] - 15:27, 35:11, 36:5, 37:20, 65:9, 74:2, 76:18, 80:1, 91:9, 155:28, 219:6, 220:17, 220:28, 234:15, 236:6, 240:12, 240:16, 244:10 eight-point-seven- four [1] - 91:9 eight-point-three [1] - 80:1 eighteen [2] - 46:7, 104:21 eighty [18] - 34:15, 35:12, 72:8, 73:21, 73:27, 74:16, 74:20, 106:4, 218:25, 220:23, 231:21, 231:23, 231:26, 232:2, 232:4, 234:20, 269:4, 313:13 eighty-five [2] - 231:23, 231:26 eighty-seven [5] - 231:21, 232:2, 232:4, 234:20, 313:13 eighty-six [4] - 34:15, 72:8, 73:21, 73:27 eighty-three [1] - 35:12 eighty-two [3] - 74:16, 74:20, 218:25 either [19] - 41:28, 87:28, 88:2, 101:25, 101:28, 139:22, 164:1, 177:21, 202:17, 235:25, 241:1, 266:7, 268:22, 270:18, 276:6, 287:21, 304:17 elaborate [2] - 189:25, 189:27 elderly [5] - 104:19,	105:28, 106:3, 106:11, 106:16 elected [6] - 195:12, 197:21, 243:25, 243:27, 265:21, 293:28 ELECTED [1] - 4:3 electrical [1] - 25:2 elects [2] - 193:19, 312:10 ELEMENTARY [1] - 52:20 Elementary [2] - 6:7, 52:25 elevated [2] - 48:22, 75:15 eleven [6] - 36:4, 73:28, 75:21, 75:25, 238:17, 307:22 eligible [4] - 65:2, 159:14, 163:22, 164:5 ELLIOTT [1] - 232:5 Elliott [3] - 27:19, 32:1, 32:23 Elliott's [2] - 30:21, 33:4 EMA [4] - 3:4, 146:8, 155:11, 181:10 EMC [4] - 135:22, 135:24, 135:25, 135:26 emergency [1] - 141:3 Emergency [1] - 3:5 eminently [2] - 314:28, 315:1 employed [1] - 146:13 Employee [1] - 7:9 EMPLOYEE [1] - 144:27 employee [19] - 145:4, 148:8, 155:5, 167:28, 168:17, 169:21, 176:3, 182:24, 185:1, 193:21, 195:19, 196:19, 201:11, 216:5, 227:13, 273:28, 291:21, 297:17, 300:5 employees [50] - 12:27, 20:3, 71:21, 71:27, 145:9, 146:8, 146:13, 152:3, 153:21, 153:23, 153:24, 153:25, 154:11, 154:12, 154:14, 154:15, 154:20, 158:19, 158:21, 160:23,	160:24, 161:23, 163:13, 163:15, 165:2, 166:27, 167:1, 168:13, 168:15, 169:7, 171:3, 171:16, 174:7, 175:7, 176:9, 180:3, 187:19, 197:3, 198:4, 201:5, 205:19, 206:6, 212:25, 233:8, 290:20, 294:9, 296:23, 297:1, 299:25, 314:24 Employees [1] - 7:9 EMPLOYEES [1] - 144:26 employer [1] - 179:5 employment [3] - 148:9, 167:28, 168:1 encountered [1] - 86:10 encourage [4] - 193:13, 208:5, 298:24, 307:28 end [11] - 40:13, 40:14, 59:9, 61:8, 154:27, 205:18, 205:28, 263:28, 268:17, 282:13, 290:18 end-all/do-all [1] - 263:28 ended [2] - 219:27, 289:13 endgame [1] - 73:20 ending [1] - 205:19 Energy [1] - 6:9 ENERGY [1] - 58:24 enforced [1] - 291:1 enforcement [5] - 72:22, 74:11, 76:28, 77:3, 185:19 engineer [2] - 43:27, 228:12 Engineer [7] - 3:7, 146:10, 202:5, 218:9, 291:14, 292:12, 313:24 Engineering [1] - 134:14 engineering [1] - 45:9 Engineers [1] - 220:12 engineers [1] - 224:21 enhanced [1] - 179:23 enjoy [3] - 97:26, 97:27, 145:23 Enmon [1] - 17:10 Ennis [1] - 16:22 Ennis-Flint [1] - 16:22	entail [1] - 93:24 enter [2] - 73:10, 312:14 Enterprises [1] - 17:10 entertain [2] - 104:14, 223:9 entire [2] - 28:21, 31:8 entities [2] - 42:4, 200:4 entitled [8] - 160:5, 168:16, 168:18, 168:20, 193:22, 194:3, 221:19 entity [1] - 102:13 entrance [2] - 48:18, 51:4 entry [1] - 134:20 environment [2] - 109:1, 110:1 Environmental [5] - 2:24, 6:17, 83:18, 146:11, 313:27 environmental [1] - 142:2 ENVIRONMENTAL [2] - 6:11, 83:12 equal [1] - 235:21 Equipment [4] - 5:4, 5:10, 6:4, 7:17 EQUIPMENT [4] - 17:23, 20:10, 40:26, 82:26 equipment [16] - 17:28, 20:16, 35:13, 41:3, 41:7, 41:11, 41:14, 41:28, 42:5, 42:21, 42:24, 57:13, 57:17, 57:18, 58:13, 83:1 error [1] - 16:2 Escambia [2] - 130:13, 293:26 Escapes [2] - 9:15, 9:16 especially [5] - 8:25, 51:26, 81:6, 134:15, 266:12 essential [1] - 74:13 establish [3] - 72:21, 112:13, 179:16 established [3] - 117:23, 173:14, 182:12 ethical [1] - 72:18 Etowah [1] - 192:22 evaluate [1] - 143:22 evaluation [2] - 221:17, 221:18 event [6] - 45:7, 45:8,	45:10, 45:15, 119:28, 193:18 eventually [1] - 46:17 evict [1] - 111:19 evidence [1] - 75:14 evolved [1] - 170:27 exactly [10] - 124:6, 165:3, 180:13, 218:15, 226:16, 272:19, 275:17, 281:11, 299:8, 311:2 examiner [1] - 73:19 Examiners [2] - 73:12, 76:24 example [10] - 92:6, 161:22, 167:11, 167:20, 182:28, 185:14, 196:6, 202:4, 202:5, 216:8 exceed [5] - 37:19, 38:5, 160:6, 171:8, 197:9 exceeds [1] - 29:6 excellent [2] - 13:18, 19:19 except [4] - 96:18, 206:12, 291:20, 299:25 exception [2] - 88:1, 275:16 excited [3] - 64:15, 66:27, 134:20 excuse [2] - 44:15, 84:26 excused [1] - 155:20 execute [10] - 12:21, 14:21, 15:10, 16:1, 21:27, 34:7, 35:6, 40:9, 101:28, 140:14 executed [1] - 54:4 Executive [5] - 7:25, 7:26, 100:25, 153:9, 316:12 EXECUTIVE [2] - 151:19, 314:14 executive [25] - 59:7, 59:8, 147:6, 147:9, 148:2, 148:5, 148:26, 149:7, 149:10, 149:12, 150:14, 150:19, 151:1, 151:10, 151:26, 152:10, 152:13, 152:18, 152:24, 313:1, 314:19, 315:4, 315:5, 315:9, 316:3 exempt [1] - 25:23 exercise [1] - 84:20 exhibit [1] - 312:15
---	---	---	---	--

<p>existence [1] - 175:15 existing [8] - 156:24, 180:21, 241:26, 241:27, 296:23, 311:25, 312:4, 312:11 exited [1] - 177:14 exiting [1] - 146:17 expand [2] - 252:11, 255:6 expansive [1] - 255:7 expect [1] - 200:17 expected [1] - 280:8 experience [4] - 177:12, 177:28, 179:3, 179:19 expertise [3] - 66:26, 263:17, 263:18 expire [2] - 10:22, 11:10 explain [2] - 131:14, 143:12 explanation [1] - 134:12 explore [2] - 118:16, 266:10 Explorers [2] - 9:18, 9:20 exploring [1] - 150:20 exposing [1] - 262:5 expressed [1] - 87:25 extend [2] - 10:19, 11:7 extended [2] - 84:16, 284:22 extension [9] - 10:22, 11:9, 139:24, 140:21, 140:24, 141:14, 141:16, 142:14, 142:16 extent [2] - 151:14, 284:5 externally [1] - 43:3 extra [3] - 75:15, 178:9, 262:18 extreme [2] - 293:14, 295:26 extremely [1] - 77:19 eye [2] - 267:5, 267:9 Eye [1] - 76:5</p>	<p>94:2, 101:24, 102:7, 109:7, 111:6, 111:7, 122:18, 125:21, 125:24, 143:16, 143:27 fact [8] - 96:15, 101:2, 137:10, 201:27, 212:1, 277:20, 284:15, 308:3 factfinding [1] - 77:12 facts [2] - 71:18, 188:3 fair [14] - 72:17, 105:17, 107:22, 118:17, 118:18, 118:19, 120:25, 187:15, 199:8, 199:9, 210:27, 212:25, 287:24 FAIRHOPE [1] - 22:18 Fairhope [5] - 5:17, 22:23, 22:27, 24:21, 266:1 fairly [2] - 261:19, 297:14 fall [4] - 173:28, 174:9, 200:8, 200:9 falls [2] - 44:28, 308:4 familiar [2] - 43:22, 85:13 families [1] - 74:25 family's [1] - 74:22 fantastic [2] - 96:6, 231:13 far [18] - 29:5, 97:4, 104:8, 106:7, 109:24, 110:16, 114:16, 122:9, 145:7, 173:27, 174:18, 198:1, 240:19, 283:7, 288:23, 291:5, 295:21, 304:2 farmed [1] - 46:19 faster [1] - 204:28 fastest [1] - 288:22 father [1] - 106:12 favor [5] - 60:7, 92:9, 152:28, 194:13, 315:28 February [2] - 11:9, 11:10 feedback [1] - 177:6 feelings [1] - 95:23 felt [5] - 134:22, 261:9, 261:11, 272:27, 284:9 Fence [1] - 4:6 FENCE [1] - 10:6 fence [1] - 10:17 few [12] - 9:15, 38:2,</p>	<p>42:26, 77:16, 80:8, 83:24, 91:18, 187:4, 205:9, 212:26, 255:4, 309:16 field [2] - 66:26, 179:20 fifteen [20] - 76:7, 159:10, 159:25, 160:16, 162:3, 162:8, 162:17, 162:24, 163:18, 164:22, 165:22, 169:26, 170:3, 170:10, 170:14, 171:6, 231:2, 238:6, 315:5 fifty [24] - 11:24, 75:10, 75:18, 218:22, 218:25, 219:3, 222:7, 222:9, 222:11, 223:10, 223:14, 223:16, 223:17, 223:19, 223:26, 224:15, 225:6, 227:19, 227:22, 227:26, 228:1, 263:11, 313:24 fifty-five [5] - 219:3, 223:19, 223:26, 224:15, 227:22 fifty-four [10] - 223:10, 223:14, 223:16, 223:17, 223:19, 225:6, 227:19, 227:26, 228:1, 313:24 fifty-nine [1] - 263:11 fifty-one [2] - 218:25, 222:11 fifty-three [1] - 222:7 fifty-two [1] - 222:9 figure [5] - 28:1, 123:11, 179:12, 241:1, 286:15 figured [2] - 219:16, 258:3 filibuster [2] - 288:13, 288:15 fill [5] - 71:1, 175:21, 182:24, 258:20, 288:25 filled [1] - 210:18 filters [1] - 237:5 filthy [1] - 125:24 finally [1] - 42:27 Finance/Accounting [1] - 2:12 financial [1] - 179:8 financials [2] -</p>	<p>251:13, 251:17 fine [26] - 27:3, 27:6, 30:27, 70:5, 112:4, 138:13, 157:3, 164:10, 171:23, 173:28, 206:9, 216:14, 223:20, 223:21, 223:25, 235:12, 254:23, 260:22, 271:1, 271:4, 271:18, 276:23, 277:21, 301:13, 306:6, 306:13 finger [1] - 277:8 fingers [1] - 200:13 finish [3] - 60:10, 150:16, 275:20 finishing [1] - 24:5 fire [2] - 137:16, 137:17 firing [2] - 247:12, 295:22 first [43] - 8:20, 8:24, 9:2, 10:16, 12:11, 28:20, 36:1, 37:7, 81:22, 83:2, 84:17, 85:7, 90:10, 93:7, 98:11, 105:4, 105:10, 116:6, 137:12, 167:26, 170:17, 187:1, 190:2, 218:5, 221:26, 230:23, 237:22, 245:19, 246:11, 253:28, 263:9, 265:13, 276:26, 278:17, 310:26, 310:27, 311:1, 311:5, 311:7, 312:3, 315:17 Fiscal [6] - 5:27, 6:18, 7:6, 40:1, 40:7, 71:16 FISCAL [3] - 39:24, 71:12, 83:13 Fish [2] - 6:9, 59:1 FISH [1] - 58:23 five [82] - 35:10, 35:13, 37:20, 65:1, 65:13, 65:21, 66:7, 66:13, 72:7, 73:26, 79:28, 82:16, 83:21, 84:7, 84:18, 84:21, 88:26, 99:15, 99:18, 99:22, 99:23, 125:3, 125:13, 125:18, 140:6, 142:23, 142:25, 150:13, 159:11, 159:24,</p>	<p>161:24, 162:3, 162:4, 162:26, 163:17, 164:5, 169:7, 169:24, 170:7, 170:11, 209:28, 219:3, 219:26, 219:27, 220:10, 221:3, 221:4, 221:28, 223:19, 223:26, 224:10, 224:11, 224:15, 224:16, 224:24, 227:22, 228:24, 229:9, 229:23, 230:2, 230:13, 230:28, 231:23, 231:26, 234:16, 237:23, 237:26, 238:20, 283:9, 283:15, 286:15, 304:21, 305:17, 306:13, 306:22, 307:22, 314:2, 314:6, 315:13 five-minute [1] - 315:13 fix [4] - 110:7, 111:28, 112:2, 242:18 fixed [3] - 112:5, 278:17, 300:2 fixing [7] - 64:13, 80:3, 80:4, 110:5, 204:26, 208:22, 261:14 flag [1] - 80:15 flags [1] - 80:16 flaw [1] - 211:7 flexibility [1] - 26:2 Flint [1] - 16:22 Flood [1] - 303:15 Floodplain [2] - 235:13, 235:22 FLOOR [1] - 22:18 Floor [1] - 5:16 floor [12] - 22:23, 22:26, 23:5, 23:6, 23:18, 23:20, 23:24, 24:6, 24:10, 32:6, 48:6, 219:28 Flooring [1] - 36:8 Florida [1] - 187:18 flow [4] - 48:28, 51:9, 79:13, 79:17 flows [1] - 49:1 fluctuating [1] - 222:1 flying [2] - 38:27, 38:28 focused [1] - 251:11 foggy [1] - 291:3 folder [2] - 34:5, 34:9</p>
F				
<p>F-1 [1] - 83:15 f-1 [2] - 6:17, 83:12 facilitate [2] - 207:13, 213:2 facilities [1] - 103:18 facility [12] - 41:4,</p>				

13:25, 13:28, 14:3,
14:7, 14:13, 14:23,
15:2, 15:13, 15:19,
16:5, 16:8, 16:14,
16:23, 16:26, 17:4,
17:15, 17:18, 17:24,
18:4, 18:15, 18:25,
19:25, 20:12, 20:19,
20:23, 21:7, 21:10,
21:17, 21:28, 22:3,
22:6, 22:10, 22:13,
22:19, 23:13, 23:21,
23:26, 24:3, 24:8,
25:21, 25:26, 26:11,
26:17, 26:22, 26:28,
27:4, 27:8, 27:14,
27:21, 28:3, 32:15,
32:20, 33:7, 33:10,
33:15, 33:18, 33:22,
34:2, 34:16, 34:21,
34:27, 35:14, 35:19,
36:12, 36:16, 36:19,
36:22, 36:25, 37:4,
37:16, 37:23, 37:27,
38:14, 38:18, 38:22,
39:20, 39:26, 40:19,
40:23, 40:27, 41:19,
41:23, 43:6, 43:11,
43:18, 44:2, 44:7,
45:27, 47:1, 47:20,
47:28, 48:10, 49:27,
50:2, 50:6, 50:10,
50:14, 50:18, 52:10,
52:13, 52:17, 52:22,
54:13, 54:18, 54:23,
54:26, 55:4, 55:7,
55:10, 55:14, 55:20,
55:26, 56:2, 56:20,
56:25, 57:4, 57:8,
57:26, 58:3, 58:8,
58:17, 58:25, 59:12,
59:15, 59:21, 59:25,
59:28, 60:4, 60:9,
60:14, 60:20, 60:24,
61:12, 61:17, 61:24,
62:2, 62:6, 62:10,
62:15, 62:18, 62:21,
62:25, 63:6, 63:10,
63:15, 63:19, 63:23,
64:8, 67:8, 67:12,
67:15, 67:18, 67:22,
67:26, 68:18, 70:6,
70:12, 70:18, 71:3,
71:6, 71:9, 71:13,
77:26, 78:3, 78:6,
78:11, 78:14, 78:19,
78:22, 78:26, 79:4,
79:21, 80:25, 81:2,
81:7, 81:13, 81:17,
81:20, 81:27, 82:19,
82:23, 83:4, 83:8,

83:14, 83:27, 84:3,
84:24, 85:1, 85:5,
85:20, 86:15, 86:18,
86:22, 86:26, 87:2,
87:6, 90:16, 90:21,
90:25, 90:28, 91:6,
92:12, 92:15, 92:18,
92:21, 92:27, 93:3,
93:6, 93:22, 95:24,
96:3, 96:13, 96:24,
96:28, 97:3, 97:7,
98:13, 98:25, 98:28,
99:7, 99:10, 99:17,
99:21, 99:26, 100:4,
100:7, 100:10,
100:16, 100:21,
100:24, 100:28,
101:8, 101:12,
101:17, 101:21,
103:5, 103:9,
103:12, 103:15,
107:28, 108:3,
108:6, 108:11,
108:14, 110:15,
110:20, 110:24,
111:2, 111:21,
111:25, 113:18,
113:22, 113:25,
113:28, 114:7,
118:9, 119:11,
119:18, 119:22,
119:26, 120:2,
120:5, 120:17,
121:6, 122:16,
122:19, 127:13,
127:19, 127:24,
128:1, 128:8,
128:24, 129:7,
129:13, 130:3,
130:7, 130:16,
130:21, 131:3,
131:6, 132:25,
133:2, 133:7,
133:15, 133:19,
133:23, 133:26,
134:28, 135:8,
135:12, 135:20,
135:23, 136:2,
136:5, 136:14,
136:22, 137:4,
137:20, 137:24,
138:2, 138:5, 138:9,
138:14, 139:5,
139:11, 139:14,
139:25, 140:1,
140:12, 140:15,
140:19, 140:22,
140:25, 141:4,
141:9, 141:15,
141:21, 141:24,
142:5, 142:9,

142:13, 142:22,
142:27, 143:3,
144:4, 144:8,
144:11, 144:14,
144:18, 144:28,
145:16, 145:21,
145:24, 146:21,
146:26, 147:13,
147:22, 148:14,
148:17, 148:21,
148:24, 148:28,
149:13, 149:16,
151:23, 152:14,
152:21, 152:27,
153:2, 153:5,
153:15, 154:1,
154:4, 155:8,
155:16, 155:19,
156:2, 156:6,
156:11, 156:14,
156:18, 156:22,
157:11, 157:14,
157:17, 157:21,
157:25, 158:1,
158:8, 158:26,
159:8, 164:2,
164:25, 165:14,
165:17, 165:25,
166:7, 166:11,
166:14, 166:17,
166:21, 166:26,
167:2, 167:5,
167:12, 167:17,
168:3, 170:19,
172:7, 172:13,
172:18, 173:4,
175:9, 178:18,
178:23, 178:26,
181:18, 181:21,
181:25, 182:1,
182:7, 182:10,
182:14, 182:21,
183:7, 184:15,
184:20, 185:10,
189:28, 190:7,
190:12, 190:16,
190:20, 190:26,
191:8, 191:11,
191:16, 191:19,
191:25, 191:28,
192:4, 192:8,
194:17, 194:21,
195:6, 195:21,
196:11, 196:15,
196:22, 197:11,
197:15, 197:28,
201:6, 202:23,
202:26, 203:11,
203:17, 204:13,
204:25, 205:5,
206:16, 208:6,

208:10, 208:16,
208:27, 209:8,
209:15, 209:19,
209:23, 210:12,
210:16, 210:20,
210:24, 211:11,
211:25, 212:15,
214:19, 214:22,
214:27, 215:6,
215:9, 215:13,
215:20, 215:23,
216:16, 216:21,
217:10, 217:15,
219:4, 219:13,
219:20, 221:9,
222:18, 223:3,
223:18, 223:23,
223:27, 224:4,
224:8, 224:26,
225:1, 225:18,
226:4, 226:25,
227:7, 227:21,
229:1, 229:8,
229:13, 229:16,
229:20, 229:24,
229:27, 230:3,
231:3, 231:10,
231:27, 232:12,
232:16, 233:4,
233:18, 234:4,
234:8, 234:18,
237:21, 237:25,
238:1, 238:11,
240:11, 240:15,
242:22, 243:15,
243:19, 243:22,
243:26, 244:1,
244:5, 244:9,
244:14, 244:20,
244:27, 245:3,
245:7, 245:12,
245:15, 245:18,
246:3, 246:12,
246:16, 254:12,
255:22, 256:2,
256:7, 262:21,
264:11, 264:21,
265:2, 266:21,
266:26, 270:20,
270:24, 270:27,
271:2, 271:5, 271:9,
271:12, 271:16,
271:19, 271:23,
271:28, 272:3,
272:6, 272:10,
272:13, 272:16,
272:22, 273:3,
273:7, 273:10,
273:13, 273:17,
273:21, 273:25,
274:3, 274:7,

274:11, 274:15,
274:19, 274:24,
274:27, 275:3,
276:10, 276:18,
276:22, 276:25,
277:1, 277:5, 277:9,
277:12, 277:15,
277:19, 277:23,
277:27, 278:6,
278:14, 278:20,
278:24, 278:27,
279:2, 279:6,
279:10, 279:13,
279:16, 280:5,
280:9, 280:12,
280:16, 280:20,
280:24, 280:27,
281:2, 281:6,
281:21, 282:1,
283:5, 286:14,
286:18, 286:23,
287:4, 287:19,
287:25, 287:28,
299:11, 301:11,
301:17, 301:20,
301:25, 305:6,
305:10, 305:18,
306:12, 306:16,
310:1, 310:5, 310:9,
310:13, 310:17,
312:23, 312:27,
313:3, 314:11,
315:10, 315:14,
315:20, 315:23,
315:27, 316:2,
316:5, 316:8
Gruber [4] - 2:4, 8:26,
43:22, 285:2
grunt [1] - 26:5
guaranteed [2] - 41:13
guard [1] - 221:28
guess [13] - 132:27,
135:13, 143:10,
145:1, 194:4,
215:24, 216:23,
240:3, 251:11,
252:16, 253:8,
256:3, 298:3
guidelines [5] - 97:12,
97:16, 112:14,
172:22
guides [1] - 173:2
Gulf [6] - 3:16, 6:9,
59:1, 84:13, 84:19,
265:28
GULF [1] - 58:24
gulf [1] - 84:15
guy [8] - 41:11,
112:21, 279:24,
289:1, 293:7, 299:5,

299:27, 309:20
guys [20] - 63:13,
 105:17, 109:6,
 109:7, 113:13,
 116:21, 121:17,
 123:21, 184:19,
 186:28, 192:13,
 196:28, 207:3,
 207:5, 207:8,
 218:19, 265:11,
 268:11, 304:19,
 307:19

H

Haber [5] - 3:13, 7:4,
 59:20, 64:10, 64:12
HABER [9] - 64:6,
 64:10, 67:2, 67:11,
 67:14, 67:17, 67:20,
 70:10, 70:25
half [11] - 84:21,
 93:10, 159:14,
 160:5, 161:27,
 162:5, 163:19,
 171:7, 232:10,
 299:27, 299:28
halfway [1] - 45:28
hall [1] - 103:24
Hanak [1] - 2:14
HANAK [1] - 134:7
Hand [2] - 7:24,
 138:22
hand [3] - 201:5,
 201:10, 259:25
HAND [1] - 138:19
handbook [7] - 161:2,
 161:3, 162:12,
 166:15, 166:18,
 166:22, 167:9
handle [4] - 75:14,
 102:13, 113:4,
 130:18
handled [2] - 72:8,
 199:7
Hang [1] - 314:19
hang [1] - 261:14
Hanks [1] - 266:1
happy [8] - 9:20, 9:23,
 74:10, 127:3, 222:1,
 236:5, 239:4, 266:7
hard [11] - 77:20, 78:1,
 134:14, 134:15,
 141:17, 150:9,
 187:21, 188:8,
 192:14, 206:12,
 252:12
harvests [2] - 76:7,
 76:9

hash [2] - 285:7, 285:8
hats [7] - 199:7,
 201:27, 211:9,
 235:10, 235:11,
 280:2
head [6] - 82:6,
 131:19, 140:4,
 229:7, 295:21,
 306:28
heading [1] - 117:3
headings [1] - 16:21
heads [4] - 184:9,
 198:23, 275:16,
 295:17
Health [3] - 64:18,
 65:16, 65:17
health [3] - 152:1,
 171:14, 314:22
hear [9] - 65:26,
 65:27, 90:10, 108:2,
 109:7, 116:4,
 213:10, 285:24,
 315:21
heard [14] - 8:25,
 48:14, 88:5, 152:15,
 203:26, 207:16,
 213:2, 213:5,
 219:17, 219:23,
 285:12, 290:4, 292:6
hearing [11] - 86:14,
 86:16, 86:25, 86:27,
 87:1, 90:24, 90:26,
 92:13, 108:17,
 172:22, 177:6
hearings [1] - 88:2
hears [1] - 116:16
heart [6] - 93:20,
 116:16, 260:26,
 263:25, 282:24,
 282:26
heavy [1] - 45:7
HELD [1] - 1:2
held [4] - 1:12, 74:26,
 250:19, 250:22
helicoptering [1] -
 39:14
hell [2] - 265:8, 287:2
help [54] - 24:23,
 25:10, 49:6, 51:24,
 54:9, 54:10, 76:15,
 89:17, 90:2, 94:10,
 98:16, 101:13,
 103:21, 107:25,
 110:9, 110:10,
 114:5, 116:3,
 116:12, 116:26,
 117:14, 118:14,
 123:7, 123:11,
 127:3, 129:12,
 129:26, 132:12,

132:20, 143:17,
 143:19, 144:3,
 153:14, 175:20,
 192:12, 192:24,
 207:13, 211:15,
 221:1, 223:8,
 236:22, 242:28,
 253:18, 263:18,
 263:20, 266:12,
 283:20, 290:10,
 290:17, 294:22,
 296:13, 310:23
helped [2] - 37:25,
 204:20
helpful [1] - 155:7
HELPING [1] - 135:5
helping [2] - 145:20,
 246:6
Helping [1] - 7:11
helps [6] - 204:16,
 228:16, 242:26,
 297:23, 298:10,
 298:16
hereby [3] - 312:10,
 312:13, 317:6
herein [2] - 152:2,
 314:23
hesitate [1] - 77:13
HICKS [21] - 53:20,
 53:23, 53:26, 54:2,
 54:22, 54:25, 55:2,
 55:6, 55:9, 55:13,
 55:18, 55:25, 55:28,
 56:7, 56:11, 56:17,
 62:23, 62:27, 63:8,
 63:12, 63:21
Hicks [3] - 3:9, 53:18,
 63:26
high [10] - 80:1,
 143:27, 222:6,
 222:11, 234:24,
 238:13, 238:17,
 238:21, 238:23,
 247:22
high-rise [1] - 143:27
higher [3] - 75:18,
 91:24, 235:15
highest [4] - 143:22,
 143:26, 143:28,
 223:15
Highway [13] - 2:27,
 3:7, 4:22, 6:26, 7:14,
 15:23, 41:3, 61:3,
 85:23, 134:7, 134:8,
 263:19, 263:20
HIGHWAY [5] - 5:24,
 6:3, 15:17, 60:27,
 134:6
hip [2] - 250:15, 251:4
hire [7] - 107:19,

180:7, 211:15,
 249:6, 250:3,
 257:18, 308:12
hired [6] - 66:23,
 109:25, 169:21,
 171:4, 253:18, 256:4
hiring [1] - 298:24
historical [2] - 181:9,
 181:11
historically [1] - 37:21
history [1] - 43:22
hit [1] - 263:14
hitch [1] - 309:18
hold [7] - 59:9, 72:24,
 149:17, 205:9,
 251:2, 287:24,
 304:26
holding [2] - 199:25,
 311:9
home [3] - 74:18,
 89:10, 106:13
homebound [3] -
 109:19, 109:20,
 114:19
homebounds [1] -
 97:24
homes [3] - 72:22,
 74:23, 114:15
homicides [1] - 74:4
honest [2] - 188:14,
 222:13
honestly [1] - 134:13
hope [3] - 145:17,
 155:7, 259:16
Hope [1] - 290:5
hopefully [1] - 309:16
Hopefully [1] - 185:1
hoping [1] - 230:12
horror [1] - 292:6
hospital [2] - 74:18,
 79:26
hospitals [1] - 75:24
hostage [2] - 210:14,
 287:27
hostile [3] - 107:1,
 107:14, 107:21
hot [1] - 98:3
hour [4] - 45:7, 73:1,
 73:4, 76:12
hours [9] - 71:24,
 71:25, 72:6, 76:19,
 76:20, 159:15,
 160:7, 171:9, 230:10
house [16] - 44:24,
 45:12, 45:15, 45:19,
 45:20, 45:22, 46:2,
 46:5, 46:6, 46:9,
 46:12, 74:24, 226:22
HOUSE [1] - 136:8
House [3] - 7:12,

64:27, 136:9
houses [3] - 45:11,
 46:4, 46:15
HOWELL [19] - 83:16,
 84:9, 84:12, 84:15,
 84:26, 169:5, 169:9,
 170:5, 190:10,
 190:22, 235:2,
 235:20, 236:4,
 236:26, 237:2,
 237:5, 237:8,
 303:13, 303:18
Howell's [1] - 42:18
HOYLE [1] - 21:14
Hoyle [2] - 5:14, 21:20
humor [1] - 19:7
hundred [64] - 11:24,
 11:26, 13:22, 15:27,
 21:23, 21:24, 21:26,
 34:14, 35:11, 36:4,
 36:9, 37:12, 37:13,
 37:15, 37:20, 42:27,
 45:3, 64:28, 65:21,
 66:12, 66:14, 71:28,
 72:7, 72:8, 73:21,
 73:22, 73:26, 73:28,
 74:16, 74:20, 74:21,
 74:24, 75:2, 75:16,
 75:17, 75:21, 75:25,
 75:27, 76:18, 81:24,
 82:16, 88:26, 159:6,
 159:15, 160:6,
 162:6, 162:7, 171:9,
 171:13, 197:10,
 197:13, 197:16,
 220:16, 220:17,
 220:28, 235:12,
 264:14, 267:17,
 269:4, 299:4, 299:5,
 314:6
hung [1] - 242:1
hurt [3] - 111:14,
 113:5
hurts [1] - 297:23
HVAC [4] - 5:20,
 34:24, 35:2, 35:8

I

i's [1] - 61:28
ICW [2] - 7:7, 139:9
idea [12] - 30:23, 73:7,
 80:26, 81:1, 130:25,
 131:21, 192:15,
 192:16, 204:20,
 296:27
ideas [1] - 25:10
identified [1] - 75:27
identify [2] - 76:2,

302:2 II [5] - 46:13, 48:3, 134:9, 134:23, 134:25 II's [1] - 134:14 III [453] - 2:6, 11:15, 12:1, 18:27, 19:8, 19:13, 19:18, 19:22, 19:27, 20:4, 20:7, 22:2, 22:15, 23:1, 24:1, 24:7, 24:11, 24:16, 25:15, 25:25, 26:1, 26:15, 26:20, 26:27, 27:3, 27:6, 27:10, 28:10, 28:15, 28:24, 28:27, 29:3, 29:7, 29:12, 29:16, 29:27, 30:3, 31:7, 31:10, 31:14, 31:18, 31:21, 32:3, 32:7, 32:26, 33:25, 34:19, 35:16, 36:21, 38:10, 38:20, 38:24, 39:8, 39:10, 39:12, 39:17, 39:22, 40:21, 41:25, 42:9, 42:13, 42:22, 43:1, 43:5, 58:20, 62:12, 62:14, 63:17, 67:7, 69:5, 80:9, 80:12, 82:14, 84:5, 84:10, 84:14, 84:22, 92:23, 113:11, 140:24, 140:28, 143:5, 143:13, 143:18, 143:24, 144:1, 145:23, 147:15, 147:18, 147:20, 147:24, 147:27, 149:4, 149:7, 150:28, 152:20, 154:3, 155:18, 156:1, 156:4, 156:10, 156:17, 156:20, 156:24, 157:13, 157:16, 158:5, 158:7, 161:13, 161:15, 161:21, 162:8, 162:14, 163:12, 163:26, 164:1, 164:15, 164:22, 166:13, 166:24, 166:28, 169:18, 170:1, 170:8, 170:15, 170:21, 170:24, 170:26, 171:10, 171:24, 172:6, 172:16, 172:20, 172:26, 173:1, 173:7, 174:4,	176:14, 177:1, 177:10, 177:16, 177:20, 177:25, 178:13, 178:20, 178:25, 178:28, 179:14, 179:21, 179:26, 180:5, 180:10, 180:15, 180:18, 180:20, 180:26, 181:4, 181:7, 181:16, 182:5, 182:16, 184:6, 184:12, 184:24, 184:27, 185:4, 187:10, 188:26, 189:13, 191:2, 192:7, 193:11, 194:19, 195:20, 198:8, 198:12, 198:15, 198:18, 199:24, 200:2, 200:12, 200:14, 200:28, 201:25, 202:1, 202:6, 202:11, 202:14, 202:18, 202:22, 203:2, 203:9, 203:13, 203:19, 204:9, 204:17, 204:22, 204:24, 207:21, 207:24, 207:26, 208:1, 208:4, 208:8, 208:12, 208:18, 209:3, 209:12, 209:17, 209:21, 210:11, 210:15, 210:19, 210:22, 211:1, 211:20, 211:23, 213:14, 214:2, 214:25, 215:3, 215:8, 215:11, 215:22, 216:1, 216:26, 217:2, 217:21, 217:28, 218:15, 218:20, 218:24, 218:27, 219:9, 219:18, 219:24, 220:4, 221:21, 222:5, 222:10, 222:22, 222:25, 222:28, 223:6, 225:7, 225:12, 226:7, 226:11, 226:17, 226:20, 227:25, 228:4, 228:14, 228:16, 228:25, 229:26, 230:6, 230:11, 230:14, 230:23,	230:27, 231:8, 231:22, 232:3, 232:26, 233:1, 233:13, 233:22, 234:1, 234:10, 234:14, 234:21, 237:16, 238:7, 238:13, 238:18, 238:24, 238:28, 239:8, 240:2, 240:7, 240:23, 240:27, 241:18, 241:26, 245:24, 245:27, 247:3, 247:23, 247:26, 248:3, 248:27, 251:19, 251:23, 252:16, 252:20, 252:22, 252:26, 253:8, 253:12, 254:14, 254:25, 256:24, 258:4, 258:7, 258:10, 258:22, 259:6, 259:9, 259:15, 259:21, 259:25, 259:28, 260:4, 260:7, 260:23, 261:16, 262:10, 262:13, 262:15, 262:24, 264:2, 265:1, 270:9, 270:14, 270:18, 270:22, 270:26, 271:1, 271:4, 271:7, 271:11, 271:14, 271:18, 271:21, 271:27, 272:2, 272:5, 272:8, 272:12, 272:15, 272:19, 273:6, 273:9, 273:12, 274:1, 274:5, 274:9, 274:13, 274:17, 274:21, 274:26, 275:5, 275:8, 275:10, 275:28, 276:4, 276:14, 276:20, 276:24, 276:28, 277:3, 277:7, 277:11, 277:14, 277:17, 277:21, 277:25, 278:19, 278:22, 278:26, 279:1, 279:4, 279:8, 279:12, 279:15, 279:18, 280:1, 280:7, 280:11, 280:14, 280:19, 280:22, 280:26, 281:1, 282:5, 282:9,	282:12, 282:16, 282:19, 283:16, 288:10, 288:14, 288:18, 288:21, 289:9, 289:16, 289:25, 290:21, 290:24, 290:28, 291:7, 291:11, 291:16, 291:19, 291:24, 291:28, 292:2, 292:16, 292:20, 292:24, 292:28, 293:3, 293:10, 293:19, 297:11, 298:14, 298:19, 298:23, 298:27, 299:10, 299:13, 300:15, 300:18, 300:21, 300:25, 301:2, 301:4, 301:28, 302:5, 302:11, 302:26, 302:28, 303:4, 303:16, 303:19, 304:3, 304:13, 304:25, 304:28, 305:2, 307:7, 307:21, 307:24, 308:11, 309:4, 309:17, 310:27, 311:2, 312:16, 313:7, 315:12, 315:22 immediately [1] - 288:28 imminently [2] - 152:7, 152:8 imperative [1] - 199:26 implied [1] - 158:18 important [7] - 196:4, 221:8, 229:12, 229:14, 229:25, 246:19, 294:27 importantly [1] - 199:9 impression [3] - 26:2, 63:1, 150:4 impressive [1] - 218:17 improve [1] - 49:16 improvement [1] - 179:8 IMPROVEMENTS [1] - 43:9 Improvements [1] - 6:5 improvements [2] - 43:14, 204:11 IN [8] - 14:12, 15:1, 15:18, 34:25, 35:22,	35:23, 82:3, 135:4 inability [1] - 308:15 INC [4] - 40:26, 64:6, 82:26, 136:8 Inc [11] - 6:4, 7:4, 7:12, 7:17, 12:12, 15:26, 16:22, 17:11, 21:23, 34:8, 35:6 inches [2] - 45:6, 46:7 INCIDENTAL [3] - 14:10, 14:27, 15:16 Incidental [3] - 4:15, 4:18, 4:21 incidental [3] - 14:16, 15:5, 15:22 incidents [1] - 9:7 inclined [1] - 194:7 include [6] - 166:19, 166:22, 302:1, 302:16, 302:23, 308:13 included [2] - 23:10, 25:6 including [2] - 41:10, 283:25 incorporated [1] - 102:24 Incorporation [1] - 68:28 increase [3] - 68:25, 75:19, 218:28 increased [1] - 307:6 increases [2] - 211:7, 235:9 increasing [1] - 307:3 indemnity [2] - 54:21, 56:1 index [1] - 79:28 indicates [13] - 58:20, 77:8, 182:16, 184:4, 184:6, 219:19, 230:17, 246:24, 284:2, 285:5, 291:23, 309:11, 313:11 Indicates [95] - 25:22, 25:27, 26:15, 26:20, 29:3, 37:24, 42:13, 44:25, 45:17, 47:2, 54:14, 55:18, 56:26, 57:5, 57:27, 61:13, 68:13, 69:2, 69:28, 70:25, 81:21, 88:15, 88:20, 89:3, 89:7, 89:12, 89:20, 89:28, 94:3, 94:8, 94:20, 94:25, 95:4, 95:9, 95:19, 96:1, 96:11, 96:22, 97:17, 98:1, 98:21, 100:14,
---	---	---	--	---

100:26, 105:15, 106:2, 106:24, 107:3, 107:10, 114:27, 121:26, 122:5, 125:26, 126:24, 128:25, 129:8, 130:14, 143:13, 155:15, 158:15, 158:22, 158:27, 160:1, 160:17, 161:7, 164:6, 166:3, 167:15, 167:23, 168:24, 169:9, 169:14, 169:18, 170:1, 170:8, 171:1, 171:17, 171:28, 172:25, 174:5, 176:5, 179:26, 182:22, 190:22, 191:2, 192:2, 213:14, 213:17, 225:15, 239:15, 239:27, 246:27, 248:6, 250:12, 283:26, 307:8	313:18 install [2] - 36:10 Installation [2] - 4:7, 5:20 installation [3] - 10:18, 35:2, 35:7 INSTALLATION [2] - 10:6, 34:24 instead [11] - 25:6, 30:22, 61:7, 61:23, 120:10, 121:20, 167:13, 204:28, 211:18, 303:2, 314:16 instructed [1] - 287:21 insulted [1] - 109:27 insurance [2] - 119:21, 121:18 intellectual [1] - 64:23 intensity [1] - 91:24 Intercoastal [1] - 139:16 intercoastal [1] - 62:28 interest [2] - 58:2, 123:5 interested [11] - 65:19, 65:23, 134:17, 198:20, 201:18, 203:26, 266:13, 266:14, 266:15, 266:17, 317:13 interesting [3] - 296:1, 296:5, 298:17 interests [1] - 93:20 interface [1] - 251:10 Interim [30] - 2:14, 3:4, 245:4, 245:8, 248:10, 250:4, 253:5, 255:21, 256:20, 257:11, 258:14, 258:20, 258:25, 260:18, 284:15, 284:17, 284:20, 284:21, 285:9, 285:16, 285:22, 286:5, 286:6, 286:25, 286:26, 287:8, 308:7, 308:9, 308:13, 308:21 interim [8] - 154:9, 155:12, 200:22, 239:10, 242:7, 284:12, 284:14, 303:27 interims [1] - 176:15 Interims [2] - 253:6, 259:2	interior [1] - 36:5 interject [2] - 196:24, 265:10 internally [2] - 28:12, 43:3 International [2] - 73:11, 76:23 interpretation [2] - 154:13, 161:16 interpreted [2] - 158:18, 165:4 interrupt [1] - 62:24 Intersection [1] - 7:16 INTERSECTION [1] - 78:18 intersection [3] - 79:17, 79:25, 79:27 intersections [1] - 79:7 interview [3] - 157:2, 177:22, 289:10 interviewed [1] - 134:18 interviewing [1] - 155:23 interviews [2] - 155:26, 259:4 INTRACOASTAL [1] - 139:9 Intracoastal [1] - 7:7 introduce [1] - 66:18 introduced [1] - 300:1 investigate [1] - 72:12 investigation [4] - 72:18, 72:20, 73:3, 76:9 investigations [2] - 75:26, 76:27 investigative [1] - 75:22 investigator [1] - 76:13 invocation [1] - 8:7 involved [4] - 93:15, 95:17, 95:18, 118:5 involves [1] - 85:9 issue [16] - 36:2, 36:7, 43:25, 53:5, 69:18, 77:20, 88:4, 126:1, 160:8, 189:9, 196:25, 199:22, 205:25, 208:28, 311:8, 311:9 issues [7] - 40:3, 44:9, 46:27, 47:8, 125:22, 142:2, 251:12 IT [2] - 190:4, 191:10 it'd [2] - 127:28, 154:28 it'll [14] - 54:28, 66:6,	66:8, 86:23, 90:26, 99:23, 129:2, 131:4, 131:8, 157:8, 179:8, 184:1, 185:7, 256:12 item [46] - 8:21, 10:16, 11:4, 11:19, 12:7, 14:15, 15:4, 15:21, 16:2, 16:16, 17:6, 17:26, 18:10, 18:20, 20:15, 21:1, 21:19, 22:21, 26:7, 30:12, 34:4, 35:1, 35:25, 37:7, 39:28, 41:9, 43:13, 43:28, 58:28, 59:10, 62:28, 68:6, 68:24, 69:8, 69:14, 78:24, 81:22, 82:5, 86:12, 137:23, 149:11, 150:15, 255:28, 280:26 Item [2] - 41:1, 52:24 items [5] - 42:24, 59:6, 149:3, 149:5, 149:12 IV [1] - 2:26	105:19, 105:22, 106:1, 106:5, 108:9, 110:27, 111:4, 111:27, 112:6, 112:9, 112:28, 113:3, 118:19, 118:28, 119:2, 119:8, 120:12, 120:14, 121:10, 121:14, 121:20, 121:24, 121:28, 122:3, 122:7, 123:2, 125:3, 126:17, 126:26, 127:1, 127:8, 127:18, 127:22, 127:26, 129:2, 131:10, 131:24, 131:26, 132:2, 132:5, 132:8, 132:13, 132:15, 132:21, 134:2, 134:27, 135:6, 135:10, 136:4, 136:12, 139:2, 144:17, 144:20, 146:1, 146:4, 146:24, 147:3, 147:8, 149:23, 152:17, 163:23, 163:27, 165:8, 165:12, 165:27, 166:5, 171:23, 171:25, 172:2, 184:4, 199:18, 200:1, 200:25, 201:1, 201:8, 201:20, 203:28, 204:6, 205:22, 207:20, 208:25, 209:1, 209:4, 211:13, 211:21, 211:28, 212:11, 212:19, 213:16, 214:11, 214:14, 215:26, 216:2, 216:10, 216:14, 216:18, 216:23, 217:7, 217:17, 217:23, 218:12, 218:16, 218:21, 221:11, 221:22, 223:7, 225:10, 225:14, 225:17, 225:22, 225:27, 226:16, 226:23, 227:18, 228:2, 228:5, 228:22, 229:6, 229:11, 230:18, 230:25, 231:16, 231:20, 232:20, 233:7,
J				
		J.M [7] - 6:4, 7:17, 40:26, 41:2, 41:4, 41:12, 82:26 JACKSON [24] - 85:4, 85:7, 85:22, 86:17, 87:8, 88:10, 88:15, 88:20, 88:24, 88:28, 89:3, 89:7, 89:12, 89:20, 89:24, 89:28, 90:5, 90:12, 90:15, 90:18, 90:27, 91:4, 92:20, 92:24 Jackson [1] - 2:16 JAMES [293] - 9:27, 10:13, 10:25, 11:11, 11:27, 15:11, 16:25, 18:3, 18:14, 19:10, 19:12, 19:23, 20:5, 20:22, 21:9, 22:5, 23:15, 23:23, 24:12, 29:14, 29:18, 29:23, 29:26, 29:28, 30:4, 30:8, 30:11, 30:19, 30:28, 31:3, 32:24, 32:27, 33:2, 33:20, 34:20, 35:18, 36:28, 38:7, 41:21, 59:17, 59:23, 59:27, 60:12, 60:18, 60:22, 62:8, 78:8, 81:15, 81:25, 84:2, 86:20, 86:28, 90:23, 101:15, 101:19, 101:23,		

233:20, 234:2, 234:6, 234:12, 234:28, 236:1, 236:8, 236:11, 237:1, 237:4, 237:10, 237:14, 237:18, 238:3, 239:2, 239:11, 239:17, 239:23, 239:27, 240:21, 241:2, 241:14, 241:16, 241:20, 241:27, 242:8, 242:11, 242:16, 245:28, 249:8, 251:28, 254:20, 254:24, 255:2, 255:10, 255:14, 255:26, 257:3, 258:1, 258:17, 258:19, 258:23, 259:5, 260:20, 260:25, 261:12, 263:1, 263:7, 263:26, 267:19, 267:22, 267:28, 268:3, 268:6, 268:12, 268:27, 269:2, 269:9, 270:4, 270:12, 270:16, 272:24, 273:1, 273:15, 273:19, 273:23, 274:23, 275:25, 276:1, 276:5, 276:16, 278:3, 278:12, 281:4, 281:12, 281:15, 282:8, 282:14, 282:18, 282:25, 283:12, 288:6, 288:16, 293:24, 294:16, 299:15, 300:7, 302:8, 302:13, 302:17, 302:22, 303:2, 303:6, 303:11, 304:5, 304:8, 304:11, 304:14, 304:23, 305:1, 305:14, 305:28, 307:5, 307:9, 308:8, 309:25, 310:3, 310:7, 310:11, 310:15, 310:19, 315:18 James [2] - 2:7, 8:10 Jani [1] - 17:10 Jani-King [1] - 17:10 Janitorial [2] - 4:26, 17:12	JANITORIAL [1] - 17:2 janitorial [1] - 17:7 January [13] - 1:5, 1:13, 8:5, 10:21, 10:22, 12:18, 81:23, 86:7, 127:10, 142:20, 143:2, 169:21, 171:4 Jay [2] - 46:12, 46:28 Jazzy [1] - 17:12 JDC [1] - 313:13 JDC's [1] - 313:15 Jeb [2] - 2:7, 8:10 JEB [293] - 9:27, 10:13, 10:25, 11:11, 11:27, 15:11, 16:25, 18:3, 18:14, 19:10, 19:12, 19:23, 20:5, 20:22, 21:9, 22:5, 23:15, 23:23, 24:12, 29:14, 29:18, 29:23, 29:26, 29:28, 30:4, 30:8, 30:11, 30:19, 30:28, 31:3, 32:24, 32:27, 33:2, 33:20, 34:20, 35:18, 36:28, 38:7, 41:21, 59:17, 59:23, 59:27, 60:12, 60:18, 60:22, 62:8, 78:8, 81:15, 81:25, 84:2, 86:20, 86:28, 90:23, 101:15, 101:19, 101:23, 105:19, 105:22, 106:1, 106:5, 108:9, 110:27, 111:4, 111:27, 112:6, 112:9, 112:28, 113:3, 118:19, 118:28, 119:2, 119:8, 120:12, 120:14, 121:10, 121:14, 121:20, 121:24, 121:28, 122:3, 122:7, 123:2, 125:3, 126:17, 126:26, 127:1, 127:8, 127:18, 127:22, 127:26, 129:2, 131:10, 131:24, 131:26, 132:2, 132:5, 132:8, 132:13, 132:15, 132:21, 134:2, 134:27, 135:6, 135:10, 136:4, 136:12, 139:2, 144:17, 144:20, 146:1, 146:4, 146:24, 147:3,	147:8, 149:23, 152:17, 163:23, 163:27, 165:8, 165:12, 165:27, 166:5, 171:23, 171:25, 172:2, 184:4, 199:18, 200:1, 200:25, 201:1, 201:8, 201:20, 203:28, 204:6, 205:22, 207:20, 208:25, 209:1, 209:4, 211:13, 211:21, 211:28, 212:11, 212:19, 213:16, 214:11, 214:14, 215:26, 216:2, 216:10, 216:14, 216:18, 216:23, 217:7, 217:17, 217:23, 218:12, 218:16, 218:21, 221:11, 221:22, 223:7, 225:10, 225:14, 225:17, 225:22, 225:27, 226:16, 226:23, 227:18, 228:2, 228:5, 228:22, 229:6, 229:11, 230:18, 230:25, 231:16, 231:20, 232:20, 233:7, 233:20, 234:2, 234:6, 234:12, 234:28, 236:1, 236:8, 236:11, 237:1, 237:4, 237:10, 237:14, 237:18, 238:3, 239:2, 239:11, 239:17, 239:23, 241:2, 241:14, 241:16, 241:20, 241:27, 242:8, 245:28, 249:8, 251:28, 254:20, 254:24, 255:2, 255:10, 255:14, 255:26, 257:3, 258:1, 258:17, 258:19, 258:23, 259:5, 260:20, 260:25, 261:12, 263:1, 263:7, 263:26, 267:19, 267:22, 267:28, 268:3, 268:6, 268:12, 268:27, 269:2, 269:9, 270:4, 270:12, 270:16, 272:24, 273:1, 273:15, 273:19, 273:23, 274:23, 275:25, 276:1, 276:5, 276:16, 278:3, 278:12, 281:4, 281:12, 281:15, 282:8, 282:14, 282:18, 282:25, 283:12, 288:6, 288:16, 293:24, 294:16, 299:15, 300:7, 302:8, 302:13, 302:17, 302:22, 303:2, 303:6, 303:11, 304:5, 304:8, 304:11, 304:14, 304:23, 305:1, 305:14, 305:28, 307:5, 307:9, 308:8, 309:25, 310:3, 310:7, 310:11, 310:15, 310:19, 315:18 Jeeps [2] - 9:17, 9:21 jeopardizes [1] - 192:27 jeopardy [2] - 107:26, 142:17 JESSIE [6] - 157:6, 157:20, 157:23, 157:27, 158:3, 158:6 Jessie [2] - 3:4, 259:8 Jinright [1] - 46:28 jinright [1] - 47:2 JO [538] - 10:1, 10:26, 11:14, 11:28, 14:25, 15:12, 16:10, 16:28, 17:17, 17:20, 18:6, 19:6, 19:11, 19:16, 19:20, 19:24, 20:1, 20:14, 20:21, 21:12, 27:16, 27:28, 28:5, 28:14, 28:22, 28:25, 29:1, 29:5, 29:8, 29:21, 29:24, 30:2, 30:6, 30:9, 30:18, 30:26, 31:1, 31:5, 31:9, 31:12, 31:16, 31:20, 31:23, 31:26, 32:10, 32:13, 32:17, 32:25, 33:13, 33:17, 33:24, 34:18, 35:17, 36:18, 40:22, 41:16, 41:22, 47:23, 54:28,	268:12, 268:27, 269:2, 269:9, 270:4, 270:12, 270:16, 272:24, 273:1, 273:15, 273:19, 273:23, 274:23, 275:25, 276:1, 276:5, 276:16, 278:3, 278:12, 281:4, 281:12, 281:15, 282:8, 282:14, 282:18, 282:25, 283:12, 288:6, 288:16, 293:24, 294:16, 299:15, 300:7, 302:8, 302:13, 302:17, 302:22, 303:2, 303:6, 303:11, 304:5, 304:8, 304:11, 304:14, 304:23, 305:1, 305:14, 305:28, 307:5, 307:9, 308:8, 309:25, 310:3, 310:7, 310:11, 310:15, 310:19, 315:18 Jeeps [2] - 9:17, 9:21 jeopardizes [1] - 192:27 jeopardy [2] - 107:26, 142:17 JESSIE [6] - 157:6, 157:20, 157:23, 157:27, 158:3, 158:6 Jessie [2] - 3:4, 259:8 Jinright [1] - 46:28 jinright [1] - 47:2 JO [538] - 10:1, 10:26, 11:14, 11:28, 14:25, 15:12, 16:10, 16:28, 17:17, 17:20, 18:6, 19:6, 19:11, 19:16, 19:20, 19:24, 20:1, 20:14, 20:21, 21:12, 27:16, 27:28, 28:5, 28:14, 28:22, 28:25, 29:1, 29:5, 29:8, 29:21, 29:24, 30:2, 30:6, 30:9, 30:18, 30:26, 31:1, 31:5, 31:9, 31:12, 31:16, 31:20, 31:23, 31:26, 32:10, 32:13, 32:17, 32:25, 33:13, 33:17, 33:24, 34:18, 35:17, 36:18, 40:22, 41:16, 41:22, 47:23, 54:28,	56:5, 56:8, 56:13, 56:22, 56:27, 58:15, 58:19, 59:14, 60:6, 61:19, 62:1, 62:13, 63:4, 64:1, 67:24, 67:28, 68:4, 68:9, 68:12, 68:22, 69:1, 69:6, 69:10, 69:15, 69:17, 69:20, 69:22, 69:27, 70:4, 70:15, 70:20, 70:27, 71:5, 71:8, 77:8, 78:10, 78:16, 80:22, 80:24, 81:26, 82:12, 83:10, 84:1, 86:24, 88:8, 88:11, 88:17, 88:22, 88:25, 89:1, 89:5, 89:9, 89:14, 89:22, 89:25, 90:2, 90:6, 90:13, 92:17, 98:6, 98:12, 103:28, 104:10, 105:6, 105:14, 119:16, 120:1, 120:4, 121:8, 121:12, 121:15, 121:22, 122:21, 122:24, 123:17, 123:20, 123:25, 124:1, 124:4, 124:10, 124:13, 124:18, 124:21, 124:25, 124:28, 125:5, 125:9, 125:11, 125:15, 126:15, 127:11, 127:16, 127:28, 128:3, 128:6, 128:10, 128:14, 128:17, 128:21, 128:27, 129:4, 129:9, 129:15, 129:19, 130:28, 131:20, 132:28, 133:4, 133:11, 133:13, 133:17, 133:21, 133:28, 134:26, 135:2, 135:22, 135:28, 136:13, 136:24, 136:28, 137:7, 137:22, 137:26, 138:4, 138:12, 138:28, 139:3, 139:7, 139:23, 141:8, 141:12, 142:3, 142:7, 142:11, 142:15, 142:19, 142:24, 143:1, 144:13, 145:14, 145:19, 145:28, 148:26,
---	--	---	---	--

150:18, 150:23, 150:26, 151:5, 151:8, 151:12, 151:17, 155:14, 155:25, 156:8, 156:13, 162:16, 162:19, 162:22, 162:27, 163:2, 164:18, 165:19, 166:9, 168:9, 168:23, 169:1, 169:3, 172:24, 172:28, 173:26, 174:6, 175:13, 176:22, 176:26, 177:2, 177:11, 177:17, 177:23, 178:4, 179:9, 180:23, 180:28, 181:8, 181:17, 181:24, 181:27, 182:3, 185:24, 185:27, 186:3, 186:7, 186:12, 186:16, 186:23, 186:27, 187:11, 188:27, 189:14, 190:5, 190:14, 190:18, 190:24, 190:28, 191:4, 191:23, 192:10, 194:4, 194:9, 195:4, 195:28, 196:13, 196:17, 196:26, 197:19, 197:23, 197:26, 198:5, 198:14, 198:16, 199:14, 199:20, 201:13, 201:17, 201:22, 201:28, 202:3, 202:7, 202:13, 202:16, 202:20, 202:25, 202:28, 203:7, 203:15, 203:23, 204:5, 204:7, 204:12, 204:15, 204:19, 204:23, 205:3, 205:7, 205:11, 205:26, 206:4, 206:8, 206:11, 206:20, 206:22, 207:1, 207:4, 207:6, 207:10, 209:6, 209:10, 212:7, 212:20, 212:24, 213:28, 214:5, 214:9, 214:12, 214:24, 214:26, 215:1, 215:4,	215:12, 215:27, 217:8, 217:19, 217:25, 218:2, 218:4, 218:8, 219:2, 219:7, 219:11, 220:1, 220:5, 222:8, 222:15, 222:20, 222:23, 222:26, 223:1, 223:5, 223:13, 223:21, 223:25, 224:14, 224:18, 224:23, 225:4, 225:16, 225:21, 225:25, 226:9, 226:13, 226:18, 226:21, 226:28, 227:17, 227:23, 228:7, 228:20, 228:27, 229:15, 229:18, 229:22, 230:1, 230:5, 231:1, 231:6, 231:14, 231:25, 232:1, 232:23, 232:27, 233:2, 233:15, 234:16, 234:26, 235:16, 235:27, 236:7, 236:10, 237:6, 237:27, 238:5, 238:9, 238:16, 238:22, 238:26, 239:6, 240:9, 240:18, 243:10, 243:17, 243:21, 243:24, 243:28, 244:3, 244:7, 244:18, 244:26, 245:1, 245:5, 245:22, 246:8, 246:14, 246:18, 246:25, 246:28, 247:7, 247:10, 247:17, 247:21, 247:24, 247:27, 248:12, 248:17, 248:21, 249:2, 249:12, 249:15, 249:24, 249:28, 250:24, 250:28, 251:24, 252:2, 252:25, 253:4, 253:10, 253:17, 253:23, 253:26, 254:2, 254:5, 254:10, 254:15, 254:22, 255:3, 255:12, 255:16, 255:24, 256:5, 256:19, 258:28, 259:7, 259:11,	259:20, 259:23, 259:26, 260:1, 260:5, 260:10, 260:13, 260:18, 266:8, 266:16, 266:23, 266:28, 267:7, 267:10, 267:13, 267:16, 267:21, 267:26, 268:2, 268:4, 268:18, 268:24, 268:28, 269:8, 269:11, 269:16, 269:19, 269:22, 269:24, 269:28, 270:5, 270:8, 283:3, 283:8, 283:14, 283:18, 285:5, 285:28, 286:4, 287:13, 287:23, 287:27, 288:2, 288:8, 288:12, 288:19, 289:5, 289:12, 289:24, 290:1, 290:22, 290:26, 291:2, 291:8, 291:12, 291:17, 291:22, 291:26, 292:1, 292:3, 292:19, 292:22, 292:26, 293:1, 293:9, 293:13, 293:20, 294:14, 294:17, 296:24, 296:28, 297:8, 299:7, 301:23, 305:8, 306:14, 306:18, 306:27, 307:15, 307:17, 308:6, 308:18, 308:24, 308:28, 309:10, 310:21, 316:4, 316:7 Jo [5] - 2:5, 279:26, 282:16, 282:28, 283:6 Job [1] - 2:20 job [55] - 13:11, 13:18, 22:14, 76:17, 107:21, 130:10, 152:2, 155:4, 157:8, 157:22, 176:11, 176:20, 179:7, 179:17, 203:10, 241:1, 249:18, 249:21, 250:14, 253:20, 261:13, 261:23, 261:25, 261:27, 262:16, 262:19, 262:22, 265:12, 266:5,	289:2, 289:26, 290:9, 290:11, 295:13, 299:2, 299:22, 299:23, 299:28, 300:12, 300:19, 302:1, 302:15, 302:18, 302:23, 303:8, 303:14, 303:23, 303:28, 306:1, 306:2, 307:28, 308:4, 308:13, 314:23 jobs [23] - 199:12, 199:28, 203:5, 203:22, 209:14, 210:19, 210:21, 211:3, 211:4, 229:21, 253:14, 254:27, 279:19, 279:21, 279:22, 288:21, 288:25, 293:8, 293:11, 299:3, 299:9, 308:1, 309:20 Joe [7] - 2:6, 19:7, 192:15, 200:26, 201:21, 220:22, 255:27 JOE [452] - 11:15, 12:1, 18:27, 19:8, 19:13, 19:18, 19:22, 19:27, 20:4, 20:7, 22:2, 22:15, 23:1, 24:1, 24:7, 24:11, 24:16, 25:15, 25:25, 26:1, 26:15, 26:20, 26:27, 27:3, 27:6, 27:10, 28:10, 28:15, 28:24, 28:27, 29:3, 29:7, 29:12, 29:16, 29:27, 30:3, 31:7, 31:10, 31:14, 31:18, 31:21, 32:3, 32:7, 32:26, 33:25, 34:19, 35:16, 36:21, 38:10, 38:20, 38:24, 39:8, 39:10, 39:12, 39:17, 39:22, 40:21, 41:25, 42:9, 42:13, 42:22, 43:1, 43:5, 58:20, 62:12, 62:14, 63:17, 67:7, 69:5, 80:9, 80:12, 82:14, 84:5, 84:10, 84:14, 84:22, 92:23, 113:11, 140:24, 140:28, 143:5, 143:13, 143:18, 143:24, 144:1, 145:23, 147:15, 147:18,	147:20, 147:24, 147:27, 149:4, 149:7, 150:28, 152:20, 154:3, 155:18, 156:1, 156:4, 156:10, 156:17, 156:20, 156:24, 157:13, 157:16, 158:5, 158:7, 161:13, 161:15, 161:21, 162:8, 162:14, 163:12, 163:26, 164:1, 164:15, 164:22, 166:13, 166:24, 166:28, 169:18, 170:1, 170:8, 170:15, 170:21, 170:24, 170:26, 171:10, 171:24, 172:6, 172:16, 172:20, 172:26, 173:1, 173:7, 174:4, 176:14, 177:1, 177:10, 177:16, 177:20, 177:25, 178:13, 178:20, 178:25, 178:28, 179:14, 179:21, 179:26, 180:5, 180:10, 180:15, 180:18, 180:20, 180:26, 181:4, 181:7, 181:16, 182:5, 182:16, 184:6, 184:12, 184:24, 184:27, 185:4, 187:10, 188:26, 189:13, 191:2, 192:7, 193:11, 194:19, 195:20, 198:8, 198:12, 198:15, 198:18, 199:24, 200:2, 200:12, 200:14, 200:28, 201:25, 202:1, 202:6, 202:11, 202:14, 202:18, 202:22, 203:2, 203:9, 203:13, 203:19, 204:9, 204:17, 204:22, 204:24, 207:21, 207:24, 207:26, 208:1, 208:4, 208:8, 208:12, 208:18, 209:3, 209:12, 209:17, 209:21, 210:11, 210:15,
---	---	--	---	--

210:19, 210:22,
211:1, 211:20,
211:23, 213:14,
214:2, 214:25,
215:3, 215:8,
215:11, 215:22,
216:1, 216:26,
217:2, 217:21,
217:28, 218:15,
218:20, 218:24,
218:27, 219:9,
219:18, 219:24,
220:4, 221:21,
222:5, 222:10,
222:22, 222:25,
222:28, 223:6,
225:7, 225:12,
226:7, 226:11,
226:17, 226:20,
227:25, 228:4,
228:14, 228:16,
228:25, 229:26,
230:6, 230:11,
230:14, 230:23,
230:27, 231:8,
231:22, 232:3,
232:26, 233:1,
233:13, 233:22,
234:1, 234:10,
234:14, 234:21,
237:16, 238:7,
238:13, 238:18,
238:24, 238:28,
239:8, 240:2, 240:7,
240:23, 240:27,
241:18, 241:26,
245:24, 245:27,
247:3, 247:23,
247:26, 248:3,
248:27, 251:19,
251:23, 252:16,
252:20, 252:22,
252:26, 253:8,
253:12, 254:14,
254:25, 256:24,
258:4, 258:7,
258:10, 258:22,
259:6, 259:9,
259:15, 259:21,
259:25, 259:28,
260:4, 260:7,
260:23, 261:16,
262:10, 262:13,
262:15, 262:24,
264:2, 265:1, 270:9,
270:14, 270:18,
270:22, 270:26,
271:1, 271:4, 271:7,
271:11, 271:14,
271:18, 271:21,
271:27, 272:2,

272:5, 272:8,
272:12, 272:15,
272:19, 273:6,
273:9, 273:12,
274:1, 274:5, 274:9,
274:13, 274:17,
274:21, 274:26,
275:5, 275:8,
275:10, 275:28,
276:4, 276:14,
276:20, 276:24,
276:28, 277:3,
277:7, 277:11,
277:14, 277:17,
277:21, 277:25,
278:19, 278:22,
278:26, 279:1,
279:4, 279:8,
279:12, 279:15,
279:18, 280:1,
280:7, 280:11,
280:14, 280:19,
280:22, 280:26,
281:1, 282:5, 282:9,
282:12, 282:16,
282:19, 283:16,
288:10, 288:14,
288:18, 288:21,
289:9, 289:16,
289:25, 290:21,
290:24, 290:28,
291:7, 291:11,
291:16, 291:19,
291:24, 291:28,
292:2, 292:16,
292:20, 292:24,
292:28, 293:3,
293:10, 293:19,
297:11, 298:14,
298:19, 298:23,
298:27, 299:10,
299:13, 300:15,
300:18, 300:21,
300:25, 301:2,
301:4, 301:28,
302:5, 302:11,
302:26, 302:28,
303:4, 303:16,
303:19, 304:3,
304:13, 304:25,
304:28, 305:2,
307:7, 307:21,
307:24, 308:11,
309:4, 309:17,
310:27, 311:2,
312:16, 313:7,
315:12, 315:22
Joe's [1] - 203:21
Joey [19] - 3:7, 41:27,
60:2, 134:11, 218:2,
218:5, 218:9,

218:21, 218:22,
228:4, 237:10,
239:25, 263:19,
295:28, 297:20,
304:3, 313:12
JOEY [164] - 22:8,
22:12, 37:6, 37:18,
37:25, 38:1, 38:9,
38:11, 38:16, 39:5,
39:9, 39:11, 39:15,
39:19, 39:28, 41:1,
41:17, 42:7, 42:10,
42:15, 42:23, 43:2,
43:13, 43:20, 44:4,
44:9, 44:12, 44:16,
44:19, 44:22, 44:27,
45:5, 45:19, 46:1,
46:8, 46:11, 47:3,
47:12, 47:18, 47:22,
47:25, 48:2, 48:9,
49:7, 49:10, 49:14,
49:24, 50:1, 50:5,
50:8, 50:12, 50:16,
50:20, 51:2, 51:12,
51:15, 51:18, 51:23,
51:25, 51:28, 52:4,
52:6, 52:8, 52:12,
52:15, 52:24, 53:22,
53:25, 54:1, 54:7,
54:15, 56:19, 57:1,
57:6, 57:10, 58:6,
58:11, 58:27, 60:3,
60:11, 60:16, 61:1,
61:14, 61:20, 61:26,
62:5, 62:17, 62:20,
64:3, 78:21, 78:24,
78:28, 79:3, 79:6,
79:23, 80:10, 80:14,
80:23, 81:1, 81:5,
81:9, 134:13,
141:27, 142:18,
143:9, 143:15,
143:19, 143:25,
144:2, 144:7,
144:10, 145:13,
149:2, 218:3, 218:6,
218:10, 220:9,
224:3, 224:7,
224:11, 224:16,
224:20, 224:24,
224:28, 225:3,
225:5, 227:1,
227:12, 227:28,
228:8, 228:12,
228:15, 228:19,
230:13, 230:15,
230:20, 231:18,
233:12, 233:26,
237:13, 237:24,
239:21, 239:26,
240:1, 240:5,

240:14, 281:27,
286:17, 296:7,
296:9, 304:7,
304:10, 306:22,
308:21, 308:27,
313:5, 313:10,
313:20, 313:23,
313:26, 314:1,
314:4, 314:7, 314:10
Joey's [4] - 218:1,
218:4, 218:5, 223:28
John [1] - 76:1
Johnson [1] - 3:15
joined [3] - 250:15,
251:3, 251:4
Joint [1] - 35:10
Judge [3] - 187:26,
195:14, 265:23
judges [1] - 265:24
Julia [1] - 98:15
Julie [2] - 101:1,
129:20
jump [2] - 233:9,
237:22
jurisdiction [3] - 69:4,
84:16, 84:20
Juvenile [2] - 2:28,
146:8

K

keep [26] - 37:21,
61:21, 65:2, 94:11,
106:17, 111:22,
111:23, 111:26,
116:19, 116:20,
125:21, 146:20,
160:5, 200:13,
242:14, 244:21,
253:14, 254:6,
257:1, 257:24,
274:23, 278:16,
286:6, 297:24,
300:8, 300:9
keeping [1] - 255:20
keeps [1] - 309:17
Kelley [1] - 117:13
Kelly [3] - 3:6, 120:25,
134:3
KELLY [74] - 93:2,
93:5, 93:8, 93:26,
94:5, 94:10, 94:14,
94:17, 94:22, 94:27,
95:6, 95:11, 95:15,
95:21, 97:2, 97:6,
97:19, 98:3, 98:10,
98:15, 98:18, 98:21,
99:15, 99:20, 99:25,
100:9, 103:1, 103:7,

103:11, 103:14,
103:17, 106:20,
106:22, 106:26,
107:5, 107:8,
107:12, 108:8,
109:10, 109:13,
110:6, 110:14,
111:20, 111:23,
113:8, 113:12,
113:20, 113:27,
114:2, 114:17,
114:19, 120:13,
120:26, 125:13,
125:16, 125:19,
125:28, 126:4,
126:6, 126:8,
126:11, 127:3,
129:11, 129:17,
129:20, 129:23,
129:26, 129:28,
130:14, 133:6,
133:9, 133:12,
133:25, 134:4
ken [1] - 265:27
Ken [1] - 3:10
KEN [25] - 44:11,
44:15, 44:18, 44:21,
44:25, 45:4, 45:17,
46:7, 46:10, 48:8,
48:12, 49:8, 49:12,
49:23, 50:27, 51:3,
51:14, 51:17, 51:22,
51:24, 51:26, 52:2,
52:5, 52:7, 79:2
kept [1] - 304:20
keys [1] - 125:24
kick [2] - 60:7, 247:18
kick-the-bucket [1] -
247:18
kicked [1] - 247:15
kims [1] - 53:3
KIM [57] - 25:12,
25:18, 25:23, 25:28,
97:9, 140:10,
140:14, 140:21,
141:2, 141:6,
163:21, 163:25,
164:4, 164:8,
164:13, 164:16,
164:20, 191:6,
191:10, 191:13,
191:15, 191:18,
216:19, 217:4,
218:1, 230:22,
231:12, 231:15,
246:27, 247:4,
247:9, 248:2, 248:4,
248:8, 248:14,
248:18, 248:22,
249:1, 250:9,

250:14, 250:26, 251:1, 261:5, 298:6, 300:11, 307:12, 307:16, 307:18, 313:9, 313:11, 313:17, 313:21, 313:24, 313:27, 314:2, 314:5, 314:8 Kim [12] - 2:12, 26:12, 27:1, 181:11, 185:17, 230:19, 230:21, 230:25, 249:25, 251:14, 298:4 Kim's [2] - 185:15, 263:20 kin [1] - 317:13 kind [55] - 26:9, 43:21, 44:5, 45:24, 46:23, 47:9, 47:26, 49:17, 63:17, 65:5, 66:1, 66:2, 66:7, 66:15, 84:20, 90:11, 92:4, 102:1, 103:22, 104:3, 105:1, 107:13, 110:28, 111:4, 117:2, 117:3, 117:9, 121:4, 122:27, 123:16, 123:18, 123:27, 123:28, 124:8, 126:21, 139:19, 179:24, 204:10, 206:25, 213:1, 219:28, 221:27, 226:19, 227:3, 228:14, 247:2, 252:12, 263:24, 267:3, 292:10, 293:17, 294:8, 295:23, 298:27 kinds [2] - 42:4, 192:16 King [1] - 17:10 kitchen [3] - 104:1, 105:1, 117:24 knock [1] - 30:21 knowing [3] - 221:6, 264:24, 306:3 knowledge [2] - 24:18, 218:18 known [1] - 59:2 knows [4] - 42:8, 116:17, 156:28, 311:7 knuckle [1] - 42:25	L-1 [2] - 92:28, 132:28 L-2 [3] - 6:24, 92:26, 133:8 L-2 [2] - 93:7, 133:5 lab [1] - 77:2 Labor [3] - 4:15, 4:18, 4:21 LABOR [3] - 14:10, 14:27, 15:16 labor [7] - 14:16, 15:5, 15:22, 57:13, 57:17, 57:19, 58:13 ladies [2] - 19:21, 241:8 lady's [1] - 290:5 land [1] - 51:1 landfill [2] - 82:28, 264:27 language [6] - 154:19, 167:21, 167:22, 191:22, 205:7, 303:9 large [3] - 49:26, 66:10, 292:5 larger [1] - 86:2 last [34] - 9:17, 13:17, 27:18, 31:6, 35:25, 40:14, 42:11, 43:24, 47:16, 75:7, 82:7, 85:18, 93:27, 104:6, 104:7, 112:10, 145:11, 146:16, 152:10, 165:7, 168:28, 169:5, 187:4, 209:2, 209:27, 224:21, 234:3, 253:19, 258:26, 280:26, 296:19, 296:20, 315:5 lasted [1] - 244:10 launch [3] - 63:1, 143:16, 143:26 LAUNCH [1] - 139:9 Launch [1] - 7:8 law [19] - 53:28, 54:6, 72:22, 74:11, 76:28, 77:3, 77:24, 146:5, 146:24, 148:4, 191:18, 193:19, 250:9, 262:6, 262:11, 263:10, 281:18, 290:13, 298:8 laws [1] - 155:2 Lawson [3] - 30:16, 30:24, 38:26 lawsuit [4] - 246:4, 246:5, 290:6 lawsuits [1] - 246:6 lawyer [1] - 262:7	layout [3] - 23:11, 25:10, 92:3 lead [1] - 8:7 leader [2] - 97:10, 108:18 leadership [4] - 104:25, 108:27, 109:24, 277:26 leading [1] - 295:4 learn [3] - 265:13, 265:16, 265:18 learned [1] - 98:8 lease [21] - 34:4, 34:8, 34:9, 34:12, 53:21, 54:4, 54:12, 55:1, 55:2, 55:28, 102:1, 110:17, 110:18, 111:8, 118:3, 118:7, 119:7, 121:2, 121:21, 124:24, 125:20 LEASE [1] - 33:28 Lease [1] - 5:18 leasing [1] - 124:12 least [16] - 13:10, 76:14, 108:22, 129:5, 145:18, 169:25, 169:26, 170:12, 171:6, 172:17, 174:24, 181:15, 219:25, 297:21, 298:1, 298:17 leave [27] - 62:27, 80:16, 116:14, 123:9, 123:10, 132:26, 149:27, 158:25, 160:6, 160:13, 161:27, 162:28, 163:19, 165:1, 168:19, 169:12, 171:8, 171:16, 171:27, 181:23, 181:28, 194:15, 206:2, 208:22, 213:22, 286:8, 316:9 leaves [2] - 113:24, 139:12 leaving [6] - 75:28, 88:9, 88:12, 193:23, 214:10, 276:8 led [1] - 8:10 Lee [3] - 30:16, 30:24, 220:22 left [12] - 38:3, 63:2, 63:26, 163:3, 163:17, 172:10, 185:26, 186:1, 220:24, 248:18,	279:26 legal [16] - 57:15, 146:19, 148:7, 151:3, 152:5, 266:13, 267:5, 267:8, 290:9, 290:17, 304:12, 314:26 legally [1] - 146:20 legislative [3] - 189:15, 204:18, 204:26 Legislative [2] - 77:15, 204:10 LESLEY [137] - 93:24, 94:3, 94:8, 94:13, 94:16, 94:20, 94:25, 95:4, 95:9, 95:14, 95:19, 96:1, 96:11, 96:22, 96:27, 97:17, 98:1, 98:17, 98:19, 98:23, 98:27, 99:6, 99:9, 100:2, 100:6, 100:14, 100:20, 100:23, 100:26, 101:7, 101:10, 102:19, 104:3, 104:12, 105:7, 105:16, 105:20, 105:27, 106:3, 106:6, 106:21, 106:24, 107:3, 107:7, 107:10, 108:2, 108:5, 108:13, 108:16, 109:12, 110:4, 110:13, 110:19, 110:23, 111:16, 112:4, 112:8, 112:25, 113:2, 113:17, 114:12, 114:24, 114:27, 115:4, 115:6, 115:10, 115:14, 115:20, 115:23, 116:1, 116:5, 116:8, 116:22, 116:25, 116:28, 117:15, 117:19, 117:22, 117:27, 118:1, 118:25, 119:1, 119:5, 121:1, 121:26, 122:2, 122:5, 122:11, 123:13, 123:18, 123:21, 123:27, 124:3, 124:8, 124:11, 124:14, 124:19, 124:23, 124:27, 125:7,	125:10, 125:18, 125:26, 126:3, 126:5, 126:7, 126:10, 126:13, 126:24, 126:28, 127:2, 127:5, 128:5, 128:12, 128:16, 128:20, 128:26, 128:28, 129:6, 129:22, 129:25, 129:27, 130:2, 130:6, 130:20, 130:26, 131:1, 131:5, 131:9, 131:16, 131:22, 131:25, 131:28, 132:4, 132:7, 132:10, 132:17 Lesley [1] - 3:11 less [5] - 41:15, 79:28, 139:20, 285:3, 285:27 letter [14] - 12:26, 12:28, 57:3, 57:10, 67:10, 138:26, 143:10, 143:11, 143:16, 143:17, 143:25, 143:27, 230:24, 287:7 letting [1] - 136:10 level [2] - 134:20, 208:13 liability [6] - 102:7, 102:26, 113:4, 113:7, 119:21, 120:6 liabilitywise [1] - 55:27 liable [4] - 54:20, 111:15, 121:23, 126:22 liaison [1] - 110:11 liberty [1] - 43:21 License [1] - 185:17 lie [1] - 106:14 life [1] - 291:5 lights [3] - 212:2, 254:21, 309:28 likelihood [1] - 117:21 likely [5] - 152:7, 152:8, 250:3, 314:28, 315:1 limitations [2] - 152:2, 314:22 Limits [1] - 6:14 LIMITS [1] - 82:3 limits [1] - 82:9 Lindsey [4] - 2:18, 3:12, 8:21, 66:18 LINDSEY [3] - 8:24, 10:4, 66:20
L				
L-1 [2] - 6:23, 132:24				

<p>Line [1] - 83:23 line [6] - 26:7, 48:16, 48:28, 164:28, 240:3, 308:14 line-item [1] - 26:7 lines [3] - 193:14, 297:13, 303:26 LISA [2] - 47:11, 47:17 Lisa [2] - 2:26, 266:1 LIST [1] - 40:26 list [9] - 9:16, 41:2, 41:3, 41:6, 41:10, 42:25, 154:22, 193:12, 216:20 List..... [1] - 6:4 listed [7] - 30:15, 217:5, 249:14, 279:19, 297:4, 302:21, 305:26 listen [4] - 107:15, 111:10, 243:7, 278:16 listening [4] - 108:25, 112:11, 186:14, 311:13 listing [5] - 12:21, 14:21, 15:9, 17:13, 250:16 listings [1] - 16:22 lists [2] - 153:23, 250:14 litigated [5] - 152:7, 314:28, 315:1 litigation [4] - 148:11, 152:6, 152:8, 314:27 LLC [3] - 11:23, 17:10, 36:3 loaded [2] - 271:8, 277:4 local [3] - 22:14, 115:28, 189:15 LOCATED [6] - 14:12, 15:1, 15:17, 34:25, 35:23, 138:19 Located [6] - 4:16, 4:19, 4:22, 5:21, 5:23, 7:24 located [9] - 14:18, 15:7, 15:24, 35:3, 35:9, 35:27, 85:22, 87:15, 91:13 location [2] - 46:20, 46:25 locator [1] - 87:17 logistics [1] - 40:3 long-term [1] - 25:11 longevity [3] - 158:14, 161:28, 168:26 look [26] - 31:8, 53:13,</p>	<p>68:24, 75:5, 75:6, 75:14, 75:19, 82:28, 89:10, 89:15, 92:6, 120:7, 155:23, 167:19, 179:4, 196:14, 203:27, 220:7, 223:24, 224:5, 241:8, 267:4, 286:12, 294:12, 294:19, 309:8 looked [6] - 28:8, 45:20, 145:7, 229:4, 292:17, 292:21 looking [17] - 25:13, 39:1, 46:2, 46:24, 76:14, 110:28, 143:20, 144:6, 162:23, 203:25, 203:27, 218:19, 229:3, 229:17, 247:2, 298:28 looks [8] - 56:15, 56:17, 140:6, 233:10, 238:9, 257:17, 264:9, 267:5 lose [1] - 195:5 losing [3] - 76:13, 76:20, 196:2 loss [1] - 72:24 lost [1] - 84:15 LOT [2] - 52:21, 136:18 Lot..... [1] - 6:8 love [3] - 263:12, 263:13, 263:23 loved [2] - 72:24, 261:8 low [7] - 222:6, 222:11, 234:24, 238:14, 238:17, 238:21, 238:23 lowest [7] - 11:22, 12:19, 14:19, 15:25, 16:21, 17:9, 21:22 LOXLEY [1] - 82:4 Loxley [2] - 82:8, 113:15 Loxley..... [1] - 6:15 luck [1] - 9:21 lunch [5] - 8:26, 213:23, 214:1, 215:25, 283:4</p>	<p>machine [2] - 34:5, 34:9 Machine [1] - 5:18 mail [3] - 74:10, 175:3, 295:28 MAILING [1] - 20:27 Mailing [1] - 5:12 mailing [1] - 21:3 main [1] - 251:12 maintain [2] - 72:21, 73:1 Maintenance [3] - 4:13, 33:9, 33:11 MAINTENANCE [1] - 12:6 maintenance [7] - 12:9, 12:15, 12:27, 25:8, 27:27, 122:12, 220:20 Maintenance's [1] - 36:15 Malone [2] - 14:20, 15:8 man [2] - 265:4, 286:13 manage [3] - 99:2, 102:17, 264:7 Management [6] - 2:24, 3:5, 5:12, 6:17, 7:4, 83:19 MANAGEMENT [4] - 6:11, 20:27, 64:7, 83:12 management [9] - 21:3, 64:17, 65:1, 65:8, 65:13, 65:20, 104:20, 287:2, 309:23 Manager [2] - 188:17, 235:13 manager [4] - 96:8, 106:28, 107:6, 109:26 managers [1] - 67:4 Managers [1] - 192:21 managing [1] - 66:3 manner [2] - 72:16, 261:28 manufacturers [1] - 38:28 map [1] - 87:17 March [3] - 39:9, 41:5, 78:2 mark [3] - 311:17, 311:21, 311:22 MARKERS [1] - 16:12 Markers [1] - 4:24 markers [1] - 16:17 Markert [2] - 159:28, 163:5</p>	<p>market [1] - 179:18 marketing [1] - 179:24 massive [1] - 235:24 Master [1] - 17:11 master's [1] - 178:2 material [2] - 15:5, 58:14 MATERIALS [4] - 11:1, 14:10, 14:27, 15:16 Materials [4] - 4:9, 4:15, 4:18, 4:21 materials [4] - 11:6, 14:16, 15:22, 57:14 math [1] - 219:1 Matter [1] - 96:15 matter [7] - 101:2, 116:10, 120:28, 141:17, 261:23, 269:10 max [1] - 173:1 mayor [2] - 100:20, 100:22 MCCOLLUM [1] - 304:18 McCollum [13] - 3:16, 148:4, 148:12, 216:28, 217:13, 218:26, 241:11, 282:11, 282:23, 282:26, 305:12, 305:16, 305:22 McGee [2] - 101:1, 130:4 McMillan [2] - 188:1, 189:8 meal [2] - 20:8, 99:14 Meals [1] - 5:8 MEALS [1] - 18:18 meals [21] - 18:21, 19:1, 20:6, 94:24, 95:13, 95:18, 96:16, 96:19, 97:4, 97:26, 97:27, 98:3, 99:12, 99:15, 99:18, 100:3, 103:13, 103:14, 109:19, 115:18, 126:11 mean [105] - 24:4, 26:6, 27:10, 60:19, 70:13, 70:23, 96:14, 99:28, 100:11, 112:20, 112:22, 117:17, 119:15, 119:19, 121:25, 121:28, 126:6, 126:14, 130:8, 130:11, 135:11, 137:1, 140:5, 141:17, 145:7,</p>	<p>146:22, 149:17, 150:1, 150:3, 156:7, 164:20, 167:6, 177:18, 179:18, 180:21, 184:28, 192:5, 192:23, 195:15, 195:19, 195:22, 198:25, 200:14, 200:27, 201:9, 204:10, 205:25, 207:22, 208:26, 210:3, 211:21, 211:22, 213:26, 216:27, 217:4, 219:14, 220:11, 221:2, 221:27, 222:4, 223:24, 224:5, 226:11, 226:15, 226:24, 226:26, 227:26, 229:10, 232:13, 235:3, 235:24, 236:14, 238:14, 238:24, 239:9, 240:19, 240:28, 241:7, 241:28, 248:1, 253:1, 256:11, 260:26, 261:1, 262:14, 265:4, 265:25, 266:4, 266:6, 267:15, 276:17, 287:9, 287:20, 294:7, 294:10, 294:11, 294:20, 295:2, 295:7, 298:26, 301:26, 302:13, 313:12 means [5] - 154:13, 162:17, 174:10, 275:6, 317:8 meant [5] - 156:9, 268:25, 269:12, 269:19, 269:25 meantime [2] - 255:20, 259:14 mechanism [2] - 197:5, 198:3 Media [1] - 3:16 median [1] - 216:27 Medicaid [2] - 64:24, 65:2 Medical [2] - 73:11, 76:24 medical [3] - 73:18, 74:25, 74:27 medical/legal [1] - 72:20 medium [1] - 295:27</p>
	<p>M</p>			
	<p>M2 [4] - 7:14, 60:27, 61:3, 61:6 MACHINE [1] - 33:28</p>			

meet [5] - 30:16, 86:3, 117:13, 131:27, 131:28	196:27, 197:2, 197:4, 197:7, 198:3, 205:20, 206:7, 249:9, 249:10, 254:13, 255:11, 259:2, 290:19, 291:21, 294:9, 299:21, 299:24, 299:25, 299:26	190:22, 235:2, 235:20, 236:4, 236:26, 237:2, 237:5, 237:8, 303:13, 303:18	misunderstood [1] - 30:27	51:5, 59:19, 66:27, 73:15, 73:17, 76:12, 76:27, 77:6, 78:28, 127:6, 140:7, 144:19, 198:18, 198:27, 203:25, 208:12, 211:6, 241:21, 257:9, 307:25, 307:26
meeting [38] - 16:4, 59:9, 77:5, 82:7, 85:17, 86:10, 86:12, 91:28, 92:8, 127:9, 137:16, 138:1, 139:27, 141:3, 141:6, 141:23, 151:16, 157:19, 157:28, 184:2, 184:23, 185:1, 185:7, 186:18, 186:21, 206:13, 207:13, 207:25, 213:24, 214:18, 214:23, 215:14, 241:8, 249:17, 267:24, 275:1, 317:10, 317:11	merit-based [1] - 294:9	mileage [1] - 9:3	Mobile [18] - 7:4, 17:11, 65:16, 65:19, 66:17, 66:22, 66:28, 67:3, 69:4, 70:8, 73:24, 75:13, 130:11, 130:12, 220:16, 220:18, 221:5, 293:27	moving [8] - 75:20, 139:17, 203:3, 204:1, 216:3, 227:3, 233:21, 276:2
meetings [2] - 192:14, 248:24	merits [2] - 188:8, 193:24	miles [3] - 42:27, 45:3, 71:27	MOBILE [1] - 64:7	MPA's [1] - 74:2
Meetings [1] - 150:10	mess [5] - 228:17, 247:20, 262:24, 264:6, 291:5	mind [11] - 55:16, 219:14, 219:16, 232:19, 238:23, 263:2, 286:8, 287:6, 291:3, 297:4, 311:12	moment [3] - 145:23, 242:4, 242:7	MR [558] - 8:17, 8:20, 8:24, 10:4, 22:8, 22:12, 37:6, 37:18, 37:25, 38:1, 38:9, 38:11, 38:16, 39:5, 39:9, 39:11, 39:15, 39:19, 39:28, 41:1, 41:17, 42:7, 42:10, 42:15, 42:23, 43:2, 43:13, 43:20, 44:4, 44:9, 44:11, 44:12, 44:15, 44:16, 44:18, 44:19, 44:21, 44:22, 44:25, 44:27, 45:4, 45:5, 45:17, 45:19, 46:1, 46:7, 46:8, 46:10, 46:11, 47:3, 47:12, 47:18, 47:22, 47:25, 48:2, 48:8, 48:9, 48:12, 49:7, 49:8, 49:10, 49:12, 49:14, 49:23, 49:24, 50:1, 50:5, 50:8, 50:12, 50:16, 50:20, 50:27, 51:2, 51:3, 51:12, 51:14, 51:15, 51:17, 51:18, 51:22, 51:23, 51:24, 51:25, 51:26, 51:28, 52:2, 52:4, 52:5, 52:6, 52:7, 52:8, 52:12, 52:15, 52:24, 53:22, 53:25, 54:1, 54:7, 54:15, 56:19, 57:1, 57:6, 57:10, 58:6, 58:11, 58:27, 60:3, 60:11, 60:16, 61:1, 61:14, 61:20, 61:26, 62:5, 62:17, 62:20, 63:13, 64:3, 71:15, 77:10, 77:28, 78:5, 78:21, 78:24, 78:28, 79:2, 79:3, 79:6, 79:23, 80:10, 80:14, 80:23, 81:1, 81:5, 81:9, 83:16, 84:9, 84:12, 84:15, 84:26,
meetings [2] - 192:14, 248:24	MESSAGE [1] - 11:18	mine [12] - 202:24, 219:15, 219:16, 220:2, 223:4, 223:14, 229:2, 238:4, 240:19, 276:12, 283:19, 305:8	money [21] - 9:23, 14:6, 25:19, 25:20, 25:23, 26:7, 26:13, 26:24, 27:17, 27:25, 120:15, 120:19, 121:2, 122:3, 124:17, 124:20, 135:18, 236:25, 241:23, 256:15	MR [558] - 8:17, 8:20, 8:24, 10:4, 22:8, 22:12, 37:6, 37:18, 37:25, 38:1, 38:9, 38:11, 38:16, 39:5, 39:9, 39:11, 39:15, 39:19, 39:28, 41:1, 41:17, 42:7, 42:10, 42:15, 42:23, 43:2, 43:13, 43:20, 44:4, 44:9, 44:11, 44:12, 44:15, 44:16, 44:18, 44:19, 44:21, 44:22, 44:25, 44:27, 45:4, 45:5, 45:17, 45:19, 46:1, 46:7, 46:8, 46:10, 46:11, 47:3, 47:12, 47:18, 47:22, 47:25, 48:2, 48:8, 48:9, 48:12, 49:7, 49:8, 49:10, 49:12, 49:14, 49:23, 49:24, 50:1, 50:5, 50:8, 50:12, 50:16, 50:20, 50:27, 51:2, 51:3, 51:12, 51:14, 51:15, 51:17, 51:18, 51:22, 51:23, 51:24, 51:25, 51:26, 51:28, 52:2, 52:4, 52:5, 52:6, 52:7, 52:8, 52:12, 52:15, 52:24, 53:22, 53:25, 54:1, 54:7, 54:15, 56:19, 57:1, 57:6, 57:10, 58:6, 58:11, 58:27, 60:3, 60:11, 60:16, 61:1, 61:14, 61:20, 61:26, 62:5, 62:17, 62:20, 63:13, 64:3, 71:15, 77:10, 77:28, 78:5, 78:21, 78:24, 78:28, 79:2, 79:3, 79:6, 79:23, 80:10, 80:14, 80:23, 81:1, 81:5, 81:9, 83:16, 84:9, 84:12, 84:15, 84:26,
Meetings [1] - 150:10	message [2] - 11:21, 80:7	MINETTE [5] - 14:12, 15:1, 15:18, 34:26, 138:19	Montgomery [5] - 41:4, 65:26, 66:9, 71:23, 77:18	MR [558] - 8:17, 8:20, 8:24, 10:4, 22:8, 22:12, 37:6, 37:18, 37:25, 38:1, 38:9, 38:11, 38:16, 39:5, 39:9, 39:11, 39:15, 39:19, 39:28, 41:1, 41:17, 42:7, 42:10, 42:15, 42:23, 43:2, 43:13, 43:20, 44:4, 44:9, 44:11, 44:12, 44:15, 44:16, 44:18, 44:19, 44:21, 44:22, 44:25, 44:27, 45:4, 45:5, 45:17, 45:19, 46:1, 46:7, 46:8, 46:10, 46:11, 47:3, 47:12, 47:18, 47:22, 47:25, 48:2, 48:8, 48:9, 48:12, 49:7, 49:8, 49:10, 49:12, 49:14, 49:23, 49:24, 50:1, 50:5, 50:8, 50:12, 50:16, 50:20, 50:27, 51:2, 51:3, 51:12, 51:14, 51:15, 51:17, 51:18, 51:22, 51:23, 51:24, 51:25, 51:26, 51:28, 52:2, 52:4, 52:5, 52:6, 52:7, 52:8, 52:12, 52:15, 52:24, 53:22, 53:25, 54:1, 54:7, 54:15, 56:19, 57:1, 57:6, 57:10, 58:6, 58:11, 58:27, 60:3, 60:11, 60:16, 61:1, 61:14, 61:20, 61:26, 62:5, 62:17, 62:20, 63:13, 64:3, 71:15, 77:10, 77:28, 78:5, 78:21, 78:24, 78:28, 79:2, 79:3, 79:6, 79:23, 80:10, 80:14, 80:23, 81:1, 81:5, 81:9, 83:16, 84:9, 84:12, 84:15, 84:26,
Mega [1] - 5:26	Messing [1] - 264:5	Minette [20] - 4:17, 4:20, 4:22, 5:21, 7:24, 14:18, 15:7, 15:24, 35:4, 35:9, 35:28, 82:11, 105:24, 106:7, 106:27, 109:23, 113:13, 114:22, 115:17, 131:2	month [4] - 149:25, 149:28, 269:7, 286:10	MR [558] - 8:17, 8:20, 8:24, 10:4, 22:8, 22:12, 37:6, 37:18, 37:25, 38:1, 38:9, 38:11, 38:16, 39:5, 39:9, 39:11, 39:15, 39:19, 39:28, 41:1, 41:17, 42:7, 42:10, 42:15, 42:23, 43:2, 43:13, 43:20, 44:4, 44:9, 44:11, 44:12, 44:15, 44:16, 44:18, 44:19, 44:21, 44:22, 44:25, 44:27, 45:4, 45:5, 45:17, 45:19, 46:1, 46:7, 46:8, 46:10, 46:11, 47:3, 47:12, 47:18, 47:22, 47:25, 48:2, 48:8, 48:9, 48:12, 49:7, 49:8, 49:10, 49:12, 49:14, 49:23, 49:24, 50:1, 50:5, 50:8, 50:12, 50:16, 50:20, 50:27, 51:2, 51:3, 51:12, 51:14, 51:15, 51:17, 51:18, 51:22, 51:23, 51:24, 51:25, 51:26, 51:28, 52:2, 52:4, 52:5, 52:6, 52:7, 52:8, 52:12, 52:15, 52:24, 53:22, 53:25, 54:1, 54:7, 54:15, 56:19, 57:1, 57:6, 57:10, 58:6, 58:11, 58:27, 60:3, 60:11, 60:16, 61:1, 61:14, 61:20, 61:26, 62:5, 62:17, 62:20, 63:13, 64:3, 71:15, 77:10, 77:28, 78:5, 78:21, 78:24, 78:28, 79:2, 79:3, 79:6, 79:23, 80:10, 80:14, 80:23, 81:1, 81:5, 81:9, 83:16, 84:9, 84:12, 84:15, 84:26,
MEGA [1] - 37:3	met [3] - 67:1, 98:7, 154:19	MINETTE [5] - 14:12, 15:1, 15:18, 34:26, 138:19	month's [1] - 194:3	MR [558] - 8:17, 8:20, 8:24, 10:4, 22:8, 22:12, 37:6, 37:18, 37:25, 38:1, 38:9, 38:11, 38:16, 39:5, 39:9, 39:11, 39:15, 39:19, 39:28, 41:1, 41:17, 42:7, 42:10, 42:15, 42:23, 43:2, 43:13, 43:20, 44:4, 44:9, 44:11, 44:12, 44:15, 44:16, 44:18, 44:19, 44:21, 44:22, 44:25, 44:27, 45:4, 45:5, 45:17, 45:19, 46:1, 46:7, 46:8, 46:10, 46:11, 47:3, 47:12, 47:18, 47:22, 47:25, 48:2, 48:8, 48:9, 48:12, 49:7, 49:8, 49:10, 49:12, 49:14, 49:23, 49:24, 50:1, 50:5, 50:8, 50:12, 50:16, 50:20, 50:27, 51:2, 51:3, 51:12, 51:14, 51:15, 51:17, 51:18, 51:22, 51:23, 51:24, 51:25, 51:26, 51:28, 52:2, 52:4, 52:5, 52:6, 52:7, 52:8, 52:12, 52:15, 52:24, 53:22, 53:25, 54:1, 54:7, 54:15, 56:19, 57:1, 57:6, 57:10, 58:6, 58:11, 58:27, 60:3, 60:11, 60:16, 61:1, 61:14, 61:20, 61:26, 62:5, 62:17, 62:20, 63:13, 64:3, 71:15, 77:10, 77:28, 78:5, 78:21, 78:24, 78:28, 79:2, 79:3, 79:6, 79:23, 80:10, 80:14, 80:23, 81:1, 81:5, 81:9, 83:16, 84:9, 84:12, 84:15, 84:26,
MEGA-SITE [1] - 37:3	method [2] - 26:26, 115:26	Minette [20] - 4:17, 4:20, 4:22, 5:21, 7:24, 14:18, 15:7, 15:24, 35:4, 35:9, 35:28, 82:11, 105:24, 106:7, 106:27, 109:23, 113:13, 114:22, 115:17, 131:2	monthly [1] - 11:25	MR [558] - 8:17, 8:20, 8:24, 10:4, 22:8, 22:12, 37:6, 37:18, 37:25, 38:1, 38:9, 38:11, 38:16, 39:5, 39:9, 39:11, 39:15, 39:19, 39:28, 41:1, 41:17, 42:7, 42:10, 42:15, 42:23, 43:2, 43:13, 43:20, 44:4, 44:9, 44:11, 44:12, 44:15, 44:16, 44:18, 44:19, 44:21, 44:22, 44:25, 44:27, 45:4, 45:5, 45:17, 45:19, 46:1, 46:7, 46:8, 46:10, 46:11, 47:3, 47:12, 47:18, 47:22, 47:25, 48:2, 48:8, 48:9, 48:12, 49:7, 49:8, 49:10, 49:12, 49:14, 49:23, 49:24, 50:1, 50:5, 50:8, 50:12, 50:16, 50:20, 50:27, 51:2, 51:3, 51:12, 51:14, 51:15, 51:17, 51:18, 51:22, 51:23, 51:24, 51:25, 51:26, 51:28, 52:2, 52:4, 52:5, 52:6, 52:7, 52:8, 52:12, 52:15, 52:24, 53:22, 53:25, 54:1, 54:7, 54:15, 56:19, 57:1, 57:6, 57:10, 58:6, 58:11, 58:27, 60:3, 60:11, 60:16, 61:1, 61:14, 61:20, 61:26, 62:5, 62:17, 62:20, 63:13, 64:3, 71:15, 77:10, 77:28, 78:5, 78:21, 78:24, 78:28, 79:2, 79:3, 79:6, 79:23, 80:10, 80:14, 80:23, 81:1, 81:5, 81:9, 83:16, 84:9, 84:12, 84:15, 84:26,
Mega-Site [1] - 5:26	MEXICO [1] - 58:24	MINETTE [5] - 14:12, 15:1, 15:18, 34:26, 138:19	months [11] - 10:20, 11:8, 12:23, 34:11, 73:7, 105:11, 189:12, 279:3, 285:11, 287:8	MR [558] - 8:17, 8:20, 8:24, 10:4, 22:8, 22:12, 37:6, 37:18, 37:25, 38:1, 38:9, 38:11, 38:16, 39:5, 39:9, 39:11, 39:15, 39:19, 39:28, 41:1, 41:17, 42:7, 42:10, 42:15, 42:23, 43:2, 43:13, 43:20, 44:4, 44:9, 44:11, 44:12, 44:15, 44:16, 44:18, 44:19, 44:21, 44:22, 44:25, 44:27, 45:4, 45:5, 45:17, 45:19, 46:1, 46:7, 46:8, 46:10, 46:11, 47:3, 47:12, 47:18, 47:22, 47:25, 48:2, 48:8, 48:9, 48:12, 49:7, 49:8, 49:10, 49:12, 49:14, 49:23, 49:24, 50:1, 50:5, 50:8, 50:12, 50:16, 50:20, 50:27, 51:2, 51:3, 51:12, 51:14, 51:15, 51:17, 51:18, 51:22, 51:23, 51:24, 51:25, 51:26, 51:28, 52:2, 52:4, 52:5, 52:6, 52:7, 52:8, 52:12, 52:15, 52:24, 53:22, 53:25, 54:1, 54:7, 54:15, 56:19, 57:1, 57:6, 57:10, 58:6, 58:11, 58:27, 60:3, 60:11, 60:16, 61:1, 61:14, 61:20, 61:26, 62:5, 62:17, 62:20, 63:13, 64:3, 71:15, 77:10, 77:28, 78:5, 78:21, 78:24, 78:28, 79:2, 79:3, 79:6, 79:23, 80:10, 80:14, 80:23, 81:1, 81:5, 81:9, 83:16, 84:9, 84:12, 84:15, 84:26,
megasite [3] - 37:9, 37:19, 39:1	Mexico [2] - 6:9, 59:1	minimum [8] - 159:25, 174:20, 174:25, 178:20, 180:20, 232:25, 233:5, 242:4	moon [1] - 221:26	MR [558] - 8:17, 8:20, 8:24, 10:4, 22:8, 22:12, 37:6, 37:18, 37:25, 38:1, 38:9, 38:11, 38:16, 39:5, 39:9, 39:11, 39:15, 39:19, 39:28, 41:1, 41:17, 42:7, 42:10, 42:15, 42:23, 43:2, 43:13, 43:20, 44:4, 44:9, 44:11, 44:12, 44:15, 44:16, 44:18, 44:19, 44:21, 44:22, 44:25, 44:27, 45:4, 45:5, 45:17, 45:19, 46:1, 46:7, 46:8, 46:10, 46:11, 47:3, 47:12, 47:18, 47:22, 47:25, 48:2, 48:8, 48:9, 48:12, 49:7, 49:8, 49:10, 49:12, 49:14, 49:23, 49:24, 50:1, 50:5, 50:8, 50:12, 50:16, 50:20, 50:27, 51:2, 51:3, 51:12, 51:14, 51:15, 51:17, 51:18, 51:22, 51:23, 51:24, 51:25, 51:26, 51:28, 52:2, 52:4, 52:5, 52:6, 52:7, 52:8, 52:12, 52:15, 52:24, 53:22, 53:25, 54:1, 54:7, 54:15, 56:19, 57:1, 57:6, 57:10, 58:6, 58:11, 58:27, 60:3, 60:11, 60:16, 61:1, 61:14, 61:20, 61:26, 62:5, 62:17, 62:20, 63:13, 64:3, 71:15, 77:10, 77:28, 78:5, 78:21, 78:24, 78:28, 79:2, 79:3, 79:6, 79:23, 80:10, 80:14, 80:23, 81:1, 81:5, 81:9, 83:16, 84:9, 84:12, 84:15, 84:26,
member [2] - 57:25, 108:24	Michael [1] - 248:10	minimums [1] - 174:28	Morgan [1] - 83:22	MR [558] - 8:17, 8:20, 8:24, 10:4, 22:8, 22:12, 37:6, 37:18, 37:25, 38:1, 38:9, 38:11, 38:16, 39:5, 39:9, 39:11, 39:15, 39:19, 39:28, 41:1, 41:17, 42:7, 42:10, 42:15, 42:23, 43:2, 43:13, 43:20, 44:4, 44:9, 44:11, 44:12, 44:15, 44:16, 44:18, 44:19, 44:21, 44:22, 44:25, 44:27, 45:4, 45:5, 45:17, 45:19, 46:1, 46:7, 46:8, 46:10, 46:11, 47:3, 47:12, 47:18, 47:22, 47:25, 48:2, 48:8, 48:9, 48:12, 49:7, 49:8, 49:10, 49:12, 49:14, 49:23, 49:24, 50:1, 50:5, 50:8, 50:12, 50:16, 50:20, 50:27, 51:2, 51:3, 51:12, 51:14, 51:15, 51:17, 51:18, 51:22, 51:23, 51:24, 51:25, 51:26, 51:28, 52:2, 52:4, 52:5, 52:6, 52:7, 52:8, 52:12, 52:15, 52:24, 53:22, 53:25, 54:1, 54:7, 54:15, 56:19, 57:1, 57:6, 57:10, 58:6, 58:11, 58:27, 60:3, 60:11, 60:16, 61:1, 61:14, 61:20, 61:26, 62:5, 62:17, 62:20, 63:13, 64:3, 71:15, 77:10, 77:28, 78:5, 78:21, 78:24, 78:28, 79:2, 79:3, 79:6, 79:23, 80:10, 80:14, 80:23, 81:1, 81:5, 81:9, 83:16, 84:9, 84:12, 84:15, 84:26,
members [5] - 50:28, 72:23, 109:25, 109:27, 129:24	micromanagement [1] - 195:7	minutes [8] - 106:13, 152:11, 152:24, 174:15, 182:4, 255:4, 315:6, 316:6	morgue [2] - 74:17, 74:19	MR [558] - 8:17, 8:20, 8:24, 10:4, 22:8, 22:12, 37:6, 37:18, 37:25, 38:1, 38:9, 38:11, 38:16, 39:5, 39:9, 39:11, 39:15, 39:19, 39:28, 41:1, 41:17, 42:7, 42:10, 42:15, 42:23, 43:2, 43:13, 43:20, 44:4, 44:9, 44:11, 44:12, 44:15, 44:16, 44:18, 44:19, 44:21, 44:22, 44:25, 44:27, 45:4, 45:5, 45:17, 45:19, 46:1, 46:7, 46:8, 46:10, 46:11, 47:3, 47:12, 47:18, 47:22, 47:25, 48:2, 48:8, 48:9, 48:12, 49:7, 49:8, 49:10, 49:12, 49:14, 49:23, 49:24, 50:1, 50:5, 50:8, 50:12, 50:16, 50:20, 50:27, 51:2, 51:3, 51:12, 51:14, 51:15, 51:17, 51:18, 51:22, 51:23, 51:24, 51:25, 51:26, 51:28, 52:2, 52:4, 52:5, 52:6, 52:7,

85:4, 85:7, 85:22, 86:17, 87:8, 88:10, 88:15, 88:20, 88:24, 88:28, 89:3, 89:7, 89:12, 89:20, 89:24, 89:28, 90:5, 90:12, 90:15, 90:18, 90:27, 91:4, 92:20, 92:24, 93:24, 94:3, 94:8, 94:13, 94:16, 94:20, 94:25, 95:4, 95:9, 95:14, 95:19, 96:1, 96:11, 96:22, 96:27, 97:17, 98:1, 98:17, 98:19, 98:23, 98:27, 99:6, 99:9, 100:2, 100:6, 100:14, 100:20, 100:23, 100:26, 101:7, 101:10, 102:19, 104:3, 104:12, 105:7, 105:16, 105:20, 105:27, 106:3, 106:6, 106:21, 106:24, 107:3, 107:7, 107:10, 108:2, 108:5, 108:13, 108:16, 109:12, 110:4, 110:13, 110:19, 110:23, 111:16, 112:4, 112:8, 112:25, 113:2, 113:17, 114:12, 114:24, 114:27, 115:4, 115:6, 115:10, 115:14, 115:20, 115:23, 116:1, 116:5, 116:8, 116:22, 116:25, 116:28, 117:15, 117:19, 117:22, 117:27, 118:1, 118:25, 119:1, 119:5, 121:1, 121:26, 122:2, 122:5, 122:11, 122:14, 122:18, 122:23, 122:26, 123:13, 123:18, 123:21, 123:27, 124:3, 124:8, 124:11, 124:14, 124:19, 124:23, 124:27, 125:7, 125:10, 125:18, 125:26, 126:3, 126:5, 126:7, 126:10, 126:13, 126:24, 126:28,	127:2, 127:5, 128:5, 128:12, 128:16, 128:20, 128:26, 128:28, 129:6, 129:22, 129:25, 129:27, 130:2, 130:6, 130:20, 130:26, 131:1, 131:5, 131:9, 131:16, 131:22, 131:25, 131:28, 132:4, 132:7, 132:10, 132:17, 134:13, 135:15, 135:25, 136:1, 136:9, 136:20, 136:25, 138:8, 138:20, 139:13, 139:28, 140:17, 140:27, 141:1, 141:11, 141:19, 141:23, 141:26, 141:27, 142:18, 143:9, 143:15, 143:19, 143:25, 144:2, 144:7, 144:10, 145:13, 148:4, 148:12, 149:2, 157:6, 157:20, 157:23, 157:27, 158:3, 158:6, 158:15, 158:22, 159:1, 159:3, 159:7, 159:10, 159:14, 159:17, 159:21, 160:1, 160:17, 160:26, 161:1, 161:4, 161:7, 162:12, 166:3, 167:4, 167:15, 167:23, 168:7, 169:5, 169:9, 169:14, 170:5, 171:1, 171:17, 172:9, 173:17, 173:20, 173:23, 175:22, 175:25, 175:27, 176:5, 183:5, 183:9, 183:13, 183:16, 183:18, 183:20, 190:10, 190:22, 191:14, 191:21, 191:27, 192:2, 196:24, 196:27, 197:4, 197:13, 197:17, 197:21, 197:25, 197:27, 198:2, 198:7, 200:11, 200:13,	216:28, 217:13, 218:3, 218:6, 218:10, 218:26, 220:9, 224:3, 224:7, 224:11, 224:16, 224:20, 224:24, 224:28, 225:3, 225:5, 227:1, 227:12, 227:28, 228:8, 228:9, 228:11, 228:12, 228:15, 228:17, 228:19, 230:9, 230:13, 230:15, 230:17, 230:20, 231:18, 232:10, 232:15, 233:12, 233:14, 233:26, 233:28, 235:2, 235:20, 236:4, 236:26, 237:2, 237:5, 237:8, 237:13, 237:24, 239:15, 239:21, 239:26, 240:1, 240:5, 240:14, 240:25, 240:28, 241:7, 241:11, 241:12, 241:15, 241:19, 244:12, 245:11, 245:14, 245:17, 245:20, 245:26, 246:2, 247:15, 247:19, 248:1, 248:6, 249:20, 249:26, 250:5, 250:12, 251:9, 251:21, 252:19, 252:21, 252:23, 253:22, 253:24, 253:28, 254:4, 254:9, 257:14, 260:9, 261:7, 261:13, 261:18, 262:12, 262:14, 262:16, 262:23, 262:25, 263:6, 263:8, 263:27, 264:3, 264:20, 265:9, 266:15, 266:18, 266:25, 267:4, 267:8, 267:12, 267:15, 281:27, 282:11, 282:22, 282:23, 282:26, 283:26, 284:2, 284:23, 286:17, 287:1, 287:6, 296:7, 296:8, 296:9, 298:22, 298:26,	301:16, 301:19, 302:27, 303:13, 303:18, 304:7, 304:10, 304:18, 305:12, 305:16, 305:22, 306:22, 307:19, 307:23, 308:10, 308:21, 308:27, 309:2, 309:23, 310:25, 311:23, 311:28, 312:2, 312:20, 313:5, 313:10, 313:20, 313:23, 313:26, 314:1, 314:4, 314:7, 314:10 MRDD [1] - 64:11 MS [199] - 10:12, 10:15, 11:4, 11:19, 12:7, 13:3, 13:7, 13:13, 13:17, 13:21, 13:27, 14:2, 14:5, 14:15, 15:4, 15:21, 16:7, 16:16, 17:6, 17:26, 18:10, 18:20, 20:2, 20:15, 21:1, 21:19, 22:21, 25:12, 25:18, 25:23, 25:28, 31:25, 31:28, 32:4, 32:8, 32:12, 32:19, 32:22, 33:1, 33:5, 33:9, 33:12, 34:4, 35:1, 35:25, 36:14, 36:24, 36:27, 47:11, 47:17, 64:10, 66:20, 67:2, 67:11, 67:14, 67:17, 67:20, 70:10, 70:25, 81:19, 81:22, 82:5, 82:15, 82:21, 82:27, 83:6, 91:8, 92:14, 93:2, 93:5, 93:8, 93:26, 94:5, 94:10, 94:14, 94:17, 94:22, 94:27, 95:6, 95:11, 95:15, 95:21, 97:2, 97:6, 97:9, 97:19, 98:3, 98:10, 98:15, 98:18, 98:21, 99:15, 99:20, 99:25, 100:9, 103:1, 103:7, 103:11, 103:14, 103:17, 106:20, 106:22, 106:26, 107:5, 107:8, 107:12, 108:8, 109:10, 109:13, 110:6, 110:14, 111:20, 111:23, 113:8, 113:12, 113:20, 113:27, 114:2, 114:17,	114:19, 120:13, 120:26, 125:13, 125:16, 125:19, 125:28, 126:4, 126:6, 126:8, 126:11, 127:3, 129:11, 129:17, 129:20, 129:23, 129:26, 129:28, 130:14, 133:6, 133:9, 133:12, 133:25, 134:4, 134:7, 140:10, 140:14, 140:21, 141:2, 141:6, 163:21, 163:25, 164:4, 164:8, 164:13, 164:16, 164:20, 191:6, 191:10, 191:13, 191:15, 191:18, 216:19, 217:4, 218:1, 230:22, 231:12, 231:15, 237:20, 239:4, 246:24, 246:27, 247:4, 247:9, 248:2, 248:4, 248:8, 248:14, 248:18, 248:22, 249:1, 250:9, 250:14, 250:26, 251:1, 261:5, 298:6, 300:11, 307:12, 307:16, 307:18, 313:9, 313:11, 313:17, 313:21, 313:24, 313:27, 314:2, 314:5, 314:8 mud [3] - 250:8, 309:2, 309:4 multiple [1] - 160:22 Municipalities [1] - 128:23
N				
name [9] - 182:24, 185:28, 228:15, 237:15, 242:7, 257:11, 282:13, 290:5, 298:4 named [1] - 155:5 Namer [1] - 235:14 names [2] - 193:10, 217:26 NAMING [1] - 132:24 Naming [1] - 6:23 narrow [1] - 49:17 nasty [1] - 125:25				

<p>natural [1] - 73:27 nay [1] - 201:11 near [1] - 26:3 necessarily [8] - 19:14, 25:15, 103:26, 164:4, 173:3, 247:4, 295:2, 297:16 necessary [2] - 177:5, 254:28 need [102] - 12:10, 27:12, 28:20, 31:12, 41:7, 55:21, 59:4, 59:8, 63:3, 63:18, 63:21, 66:4, 67:9, 67:10, 67:14, 67:20, 75:19, 77:21, 79:10, 93:16, 95:7, 95:17, 96:17, 97:21, 97:22, 97:23, 98:11, 99:2, 99:19, 102:11, 102:23, 109:23, 119:21, 122:24, 125:2, 129:24, 133:9, 137:18, 139:18, 140:10, 145:27, 147:7, 148:10, 156:27, 163:8, 172:11, 174:25, 180:15, 181:1, 189:16, 189:17, 192:12, 193:5, 194:5, 194:11, 194:15, 196:2, 200:3, 200:18, 204:17, 215:24, 216:19, 217:2, 225:8, 240:28, 241:1, 242:28, 252:26, 253:15, 255:17, 258:15, 268:21, 281:9, 282:12, 283:6, 283:21, 283:22, 284:14, 284:21, 285:10, 285:23, 287:14, 288:5, 288:20, 289:1, 289:17, 289:18, 289:20, 291:13, 291:20, 292:28, 293:4, 294:27, 294:28, 301:6, 304:4, 306:15, 306:25, 308:1, 311:24 needed [12] - 12:27, 52:9, 52:15, 63:2, 76:10, 80:2, 89:18, 115:18, 173:12,</p>	<p>241:24, 261:10, 263:20 needing [1] - 74:25 needs [26] - 28:20, 29:6, 29:10, 31:18, 51:20, 67:1, 101:10, 104:2, 109:15, 109:18, 109:21, 113:16, 157:5, 167:7, 173:27, 174:2, 174:12, 175:17, 176:8, 193:17, 233:11, 263:19, 278:17, 285:17, 289:13, 289:14 negatively [3] - 77:9, 239:28, 246:27 negotiate [1] - 201:23 negotiating [1] - 199:23 Neighborhood [1] - 85:10 neighborhood [1] - 50:24 neighboring [1] - 292:7 Neighbors [2] - 7:11 NEIGHBORS [2] - 135:5 Neopost [1] - 34:8 Never [2] - 238:23, 286:8 never [12] - 46:4, 117:1, 117:8, 136:26, 185:8, 185:11, 221:25, 245:8, 245:9, 245:10, 265:6, 291:18 new [24] - 23:8, 30:1, 30:10, 36:10, 48:18, 64:14, 66:18, 100:9, 117:2, 123:19, 150:3, 230:7, 230:8, 265:7, 265:15, 282:10, 291:27, 296:16, 307:2, 312:7, 312:14, 312:16, 312:18 Newton [1] - 80:26 next [70] - 9:6, 10:10, 11:3, 11:4, 11:19, 12:7, 14:14, 14:15, 15:3, 15:4, 15:20, 15:21, 16:7, 16:15, 16:16, 17:5, 17:6, 17:25, 17:26, 18:10, 18:20, 20:13, 20:14, 20:15, 21:1, 21:18,</p>	<p>21:19, 22:20, 22:21, 34:3, 34:4, 34:28, 35:1, 37:5, 38:26, 38:27, 39:4, 39:27, 40:28, 43:12, 45:15, 51:4, 52:23, 58:26, 71:14, 77:5, 83:7, 83:15, 85:2, 85:17, 87:7, 87:8, 91:25, 92:28, 127:6, 127:11, 128:28, 132:27, 146:7, 181:22, 189:12, 230:9, 244:28, 252:14, 254:21, 255:28, 267:24, 275:20 nice [2] - 46:24, 289:6 nice-looking [1] - 46:24 night [7] - 131:13, 137:17, 145:11, 145:12, 145:13, 145:15, 262:4 nine [29] - 15:27, 21:24, 34:14, 36:9, 73:22, 74:1, 74:21, 75:16, 81:24, 146:20, 223:12, 231:23, 234:15, 234:23, 234:25, 234:27, 234:28, 235:3, 235:12, 235:28, 237:7, 237:11, 251:26, 263:11, 264:14, 293:15, 313:14, 313:19 nine's [1] - 236:2 nineteen [2] - 34:14, 64:14 ninety [27] - 81:24, 149:26, 174:17, 174:24, 174:25, 175:1, 175:4, 212:22, 220:23, 231:28, 232:22, 232:24, 233:23, 234:15, 237:23, 237:26, 238:20, 240:8, 240:24, 260:28, 264:14, 268:25, 269:3, 269:4, 270:1, 307:18, 313:16 ninety-five [3] - 237:23, 237:26, 238:20 ninety-nine [2] - 234:15, 264:14</p>	<p>ninety-seven [2] - 240:8, 240:24 ninety-three [2] - 231:28, 307:18 NO [4] - 21:14, 84:28, 87:5, 91:3 nobody [5] - 63:8, 105:25, 112:14, 117:9, 266:2 none [4] - 189:2, 220:2, 292:19, 293:28 nonprofit [2] - 102:23, 120:21 normally [1] - 41:14 NORTH [1] - 132:24 North [4] - 6:23, 65:27, 93:1, 110:25 north [6] - 40:11, 45:11, 45:20, 79:14, 87:15, 91:14 northern [1] - 40:14 note [2] - 214:10, 221:12 nothing [13] - 27:23, 139:19, 150:4, 156:21, 156:23, 186:17, 188:16, 194:14, 211:8, 230:7, 230:8, 232:25, 277:22 notice [4] - 12:12, 45:24, 75:6, 168:14 NOTICES [1] - 20:28 notices [1] - 21:4 Notices..... [1] - 5:13 null [1] - 312:5 number [38] - 153:24, 170:16, 179:19, 180:16, 180:20, 201:9, 202:10, 220:8, 220:9, 222:17, 223:15, 225:23, 226:2, 226:6, 226:12, 227:10, 227:19, 229:7, 232:21, 232:22, 233:23, 240:19, 256:6, 281:10, 282:6, 282:13, 283:6, 283:7, 283:11, 285:1, 285:25, 286:3, 286:21, 290:6, 292:17, 306:21, 307:25, 312:13 Number [7] - 1:16, 21:20, 218:22,</p>	<p>223:28, 224:12, 224:17, 224:19 number's [1] - 239:1 numbers [33] - 25:9, 41:8, 72:26, 77:25, 180:21, 201:3, 202:21, 202:27, 203:1, 209:7, 212:26, 216:3, 216:17, 216:24, 217:6, 222:1, 222:13, 222:16, 225:28, 227:20, 236:15, 241:26, 241:28, 261:9, 261:10, 262:9, 270:19, 275:15, 275:28, 281:7, 290:10, 312:17, 312:18 numerous [1] - 72:1 NUNNALLY [164] - 22:8, 22:12, 37:6, 37:18, 37:25, 38:1, 38:9, 38:11, 38:16, 39:5, 39:9, 39:11, 39:15, 39:19, 39:28, 41:1, 41:17, 42:7, 42:10, 42:15, 42:23, 43:2, 43:13, 43:20, 44:4, 44:9, 44:12, 44:16, 44:19, 44:22, 44:27, 45:5, 45:19, 46:1, 46:8, 46:11, 47:3, 47:12, 47:18, 47:22, 47:25, 48:2, 48:9, 49:7, 49:10, 49:14, 49:24, 50:1, 50:5, 50:8, 50:12, 50:16, 50:20, 51:2, 51:12, 51:15, 51:18, 51:23, 51:25, 51:28, 52:4, 52:6, 52:8, 52:12, 52:15, 52:24, 53:22, 53:25, 54:1, 54:7, 54:15, 56:19, 57:1, 57:6, 57:10, 58:6, 58:11, 58:27, 60:3, 60:11, 60:16, 61:1, 61:14, 61:20, 61:26, 62:5, 62:17, 62:20, 64:3, 78:21, 78:24, 78:28, 79:3, 79:6, 79:23, 80:10, 80:14, 80:23, 81:1, 81:5, 81:9, 134:13, 141:27, 142:18, 143:9, 143:15, 143:19, 143:25, 144:2, 144:7, 144:10, 145:13,</p>
---	--	---	--	---

149:2, 218:3, 218:6, 218:10, 220:9, 224:3, 224:7, 224:11, 224:16, 224:20, 224:24, 224:28, 225:3, 225:5, 227:1, 227:12, 227:28, 228:8, 228:12, 228:15, 228:19, 230:13, 230:15, 230:20, 231:18, 233:12, 233:26, 237:13, 237:24, 239:21, 239:26, 240:1, 240:5, 240:14, 281:27, 286:17, 296:7, 296:9, 304:7, 304:10, 306:22, 308:21, 308:27, 313:5, 313:10, 313:20, 313:23, 313:26, 314:1, 314:4, 314:7, 314:10 Nunnally [1] - 3:7	138:18, 317:3 OFF [2] - 20:26, 43:9 Off-Site [1] - 5:12 OFF-SITE [1] - 20:26 off-site [1] - 21:2 offer [5] - 177:24, 202:10, 203:9, 212:26, 226:14 offered [1] - 236:21 offering [2] - 41:28, 137:2 Office [8] - 35:27, 71:20, 72:4, 72:11, 74:12, 77:1, 77:4, 77:17 office [18] - 23:12, 27:18, 30:17, 30:21, 31:15, 57:25, 70:21, 73:14, 91:12, 92:5, 137:13, 157:4, 187:4, 236:23, 236:27, 243:23, 280:8, 280:13 officer [1] - 248:28 Officer [3] - 185:20, 250:10, 250:20 Offices [1] - 5:23 OFFICES [1] - 35:23 offices [2] - 36:6, 73:1 official [2] - 82:17, 186:17 Official [3] - 146:10, 235:13, 303:14 officially [1] - 173:16 OFFICIALS [1] - 4:3 officials [4] - 195:12, 197:21, 265:22, 265:24 old [7] - 42:25, 64:23, 106:4, 116:18, 231:17, 263:11, 269:12 olds [1] - 106:15 ON [7] - 6:22, 8:13, 10:7, 21:14, 58:23, 132:24, 138:18 once [7] - 35:13, 106:27, 201:2, 227:2, 263:14, 300:27 one [320] - 12:11, 19:2, 21:24, 30:21, 34:5, 34:9, 40:6, 42:18, 42:24, 45:2, 45:6, 45:7, 45:24, 47:11, 47:12, 47:16, 50:3, 50:17, 52:11, 52:16, 52:28, 57:9, 59:3, 60:3, 60:10, 60:16, 60:23, 61:1, 61:5,	61:26, 62:3, 63:12, 64:12, 64:19, 68:24, 69:12, 69:13, 72:4, 72:5, 72:9, 72:24, 72:28, 73:1, 74:5, 74:18, 75:1, 75:27, 76:4, 76:12, 78:24, 79:7, 79:17, 79:24, 79:25, 79:28, 82:27, 85:9, 85:12, 87:7, 87:8, 87:15, 87:18, 87:22, 91:4, 92:7, 95:25, 95:26, 96:4, 96:10, 100:11, 101:20, 101:25, 102:14, 105:26, 108:20, 109:24, 109:26, 122:27, 125:22, 131:1, 135:13, 139:4, 146:2, 146:17, 146:18, 149:11, 149:25, 149:28, 153:26, 154:8, 154:10, 154:12, 154:17, 154:21, 159:19, 163:17, 165:9, 171:7, 171:13, 177:12, 182:25, 185:21, 187:2, 188:28, 189:10, 190:8, 191:1, 191:22, 192:28, 193:1, 193:27, 196:24, 198:9, 199:16, 199:19, 199:27, 200:24, 207:28, 210:22, 211:10, 214:25, 215:7, 215:8, 215:14, 215:21, 216:5, 216:12, 217:7, 217:11, 218:5, 218:22, 218:24, 218:25, 219:2, 219:6, 219:7, 220:10, 220:14, 220:19, 220:22, 220:23, 221:28, 222:6, 222:8, 222:11, 223:9, 223:14, 223:15, 223:16, 223:19, 223:26, 224:9, 224:11, 224:14, 224:15, 224:16, 224:24, 225:6, 225:10, 225:12, 225:19, 225:21, 227:18, 227:19,	227:22, 227:25, 227:28, 228:21, 228:23, 228:25, 228:27, 229:9, 229:22, 230:2, 230:13, 230:26, 230:27, 231:2, 231:4, 231:7, 231:8, 231:11, 231:12, 234:13, 234:15, 234:16, 234:19, 234:20, 234:23, 234:25, 234:27, 234:28, 235:3, 235:17, 235:28, 236:2, 236:4, 237:7, 237:11, 237:22, 237:24, 238:4, 238:5, 238:7, 238:8, 238:10, 238:15, 238:16, 238:19, 239:1, 239:3, 239:4, 239:6, 239:20, 240:5, 240:7, 240:8, 240:9, 240:12, 240:14, 240:23, 242:1, 242:20, 242:25, 248:19, 249:16, 255:10, 255:20, 255:21, 256:15, 256:16, 258:26, 259:1, 265:10, 267:4, 269:7, 276:5, 276:7, 278:8, 279:20, 279:21, 279:24, 281:18, 281:27, 283:8, 283:9, 283:14, 283:15, 284:24, 285:22, 286:10, 286:13, 286:15, 288:22, 288:25, 289:3, 289:4, 289:27, 292:7, 293:15, 293:25, 293:26, 294:10, 294:22, 295:26, 299:4, 299:5, 300:2, 302:12, 303:21, 303:26, 304:21, 305:17, 306:13, 306:22, 307:22, 308:19, 309:20, 309:26, 309:28, 310:2, 310:10, 312:2, 312:7, 313:14, 313:19, 313:21, 313:24, 313:28, 314:2, 314:5, 314:6, 314:19	ONE [1] - 33:28 One [2] - 5:18, 137:12 one-hour [2] - 73:1, 76:12 one-month [2] - 149:25, 286:10 one-oh-eight [1] - 234:15 one-oh-five [1] - 234:16 one-oh-nine [10] - 234:23, 234:25, 234:27, 234:28, 235:3, 235:28, 237:7, 237:11, 313:14, 313:19 one-oh-nine's [1] - 236:2 one-oh-seven [1] - 238:4 one-point-three [1] - 72:9 one-point-zero-four [1] - 85:9 ones [5] - 93:4, 147:18, 150:3, 249:14, 287:17 ongoing [2] - 73:9, 112:12 onsite [1] - 57:13 open [12] - 104:6, 138:1, 141:23, 151:16, 155:26, 186:21, 192:14, 194:15, 198:28, 204:8, 206:13, 216:20 Open [1] - 150:10 opening [1] - 141:17 operate [3] - 78:1, 130:9, 250:7 operates [1] - 112:23 Operating [1] - 73:8 operating [2] - 220:21, 309:18 operation [4] - 70:22, 122:15, 252:18, 312:4 operational [1] - 220:20 opinion [10] - 68:15, 69:8, 154:25, 177:9, 208:15, 253:15, 267:2, 271:22, 277:18, 289:6 opinions [1] - 109:3 opioids [1] - 77:21 opportunity [14] - 44:13, 66:5, 71:16, 88:5, 114:21,
O				
o'clock [5] - 214:25, 215:7, 215:8, 215:14, 215:21 o-1 [2] - 6:26, 134:6 object [2] - 205:19, 206:6 objectives [1] - 258:14 obligations [1] - 306:9 obviously [6] - 46:15, 46:26, 142:2, 220:26, 294:14, 296:16 occasion [1] - 265:28 occasionally [1] - 9:9 occur [1] - 160:4 occurred [1] - 241:9 occurs [1] - 38:25 October [3] - 45:5, 45:21, 74:7 odd [2] - 286:13 OF [32] - 8:13, 10:6, 10:7, 10:28, 11:17, 14:28, 16:12, 17:2, 17:22, 18:8, 18:18, 20:10, 20:26, 20:27, 22:17, 22:18, 33:28, 34:24, 58:24, 78:18, 82:2, 82:3, 82:4, 83:12, 132:24, 135:4, 136:17, 136:18, 138:17,				

115:16, 116:21, 127:21, 128:9, 145:18, 186:21, 259:3, 270:1, 284:8 opposed [2] - 102:21, 153:3 opposites [2] - 293:14, 293:17 opposition [1] - 86:11 option [2] - 102:1, 102:14, 111:8, 117:17, 117:28, 118:2, 118:16, 119:10, 123:12, 124:15, 189:5, 189:6, 194:15, 211:23, 211:26, 211:27, 255:18, 255:19, 257:10, 284:25 options [7] - 27:12, 118:11, 148:7, 152:6, 255:17, 262:1, 314:27 oral [2] - 152:12, 315:3 orange [1] - 80:16 order [15] - 36:3, 36:8, 47:5, 53:15, 102:25, 161:10, 217:20, 237:28, 253:13, 257:9, 259:18, 281:17, 281:23, 281:25, 290:8 ordered [2] - 61:5, 61:6 Organ [1] - 76:5 organ [1] - 76:6 organization [5] - 187:13, 200:18, 232:7, 288:26, 288:27 organizational [10] - 187:7, 187:12, 188:15, 188:18, 196:14, 251:25, 255:8, 286:11, 291:3, 292:14 organizations [3] - 24:23, 25:14, 41:27 original [3] - 61:6, 85:25, 87:18 Osprey [1] - 82:10 Otherwise [1] - 97:14 otherwise [1] - 241:24 ought [10] - 19:27, 117:12, 183:23, 205:15, 207:28, 211:2, 216:11, 242:5, 297:6	ourselves [1] - 294:2 outline [1] - 90:4 outlined [1] - 12:16 outlines [1] - 146:15 outside [3] - 137:9, 186:20, 257:18 oven [1] - 103:23 OVER [2] - 21:15, 58:23 overflowing [1] - 53:5 oversee [2] - 99:8, 126:13 oversight [2] - 295:16, 295:18 overwhelmed [1] - 53:4 own [7] - 96:8, 118:6, 118:7, 220:6, 235:18, 236:24, 281:27 owned [5] - 46:18, 46:19, 49:16, 101:24, 102:7 owner [1] - 87:24 owners [2] - 9:7, 88:5 ownership [3] - 53:15, 53:19, 53:21 owns [3] - 44:28, 74:18, 101:27	Painting [2] - 5:22, 36:3 painting [2] - 35:26, 36:5 Palmer [1] - 1:14 Panhandle [1] - 187:18 paragraph [5] - 30:15, 70:14, 146:6, 167:26, 168:10 paragraphs [1] - 185:16 parcels [1] - 91:18 PARKING [2] - 52:21, 136:17 Parking [2] - 6:8, 7:21 parking [12] - 52:26, 53:4, 53:5, 53:9, 53:10, 54:11, 54:16, 54:17, 136:26, 137:11, 137:19 part [43] - 28:28, 30:8, 30:11, 30:13, 31:19, 31:22, 40:11, 52:9, 70:24, 71:24, 72:5, 76:17, 79:11, 80:2, 97:8, 104:24, 104:25, 107:20, 108:16, 108:27, 109:26, 112:10, 124:5, 137:15, 142:3, 142:6, 142:10, 148:4, 156:25, 166:23, 173:15, 176:9, 176:11, 202:8, 204:2, 242:23, 269:10, 278:7, 278:8, 278:9, 310:20 part-time [6] - 71:24, 72:5, 76:17, 107:20, 109:26 PARTICIPATION [1] - 135:4 participation [2] - 96:17, 135:17 Participation [1] - 7:10 particular [6] - 155:5, 162:1, 174:19, 177:18, 202:9, 220:6 parties [4] - 34:13, 184:28, 317:11, 317:13 party [2] - 66:21, 297:5 pass [2] - 149:26, 241:24 passed [1] - 29:20 passthrough [1] -	120:20 past [13] - 38:2, 86:7, 125:23, 137:3, 178:10, 217:5, 221:12, 233:16, 233:21, 264:23, 285:16, 294:25 Pastor [1] - 129:17 path [2] - 192:13, 258:3 Patterson [1] - 50:25 Pave [1] - 6:8 pave [5] - 53:9, 53:10, 53:16, 53:28, 54:16 PAVE [1] - 52:20 paved [1] - 52:26 Pavement [1] - 4:24 PAVEMENT [1] - 16:12 pavement [1] - 16:17 paving [1] - 49:20 pay [34] - 100:3, 100:13, 119:5, 119:6, 121:2, 138:25, 149:28, 158:21, 161:27, 174:9, 174:28, 175:4, 175:15, 175:18, 176:17, 176:19, 176:23, 176:28, 177:26, 181:2, 183:1, 183:3, 183:8, 193:16, 194:3, 211:7, 241:5, 263:16, 270:3, 312:11 paying [2] - 58:14, 95:13 payment [1] - 170:11 pays [1] - 100:13 PEACOCK [10] - 157:6, 157:20, 157:23, 157:27, 158:3, 158:6, 228:9, 228:17, 230:9, 230:17 Peacock [2] - 2:21, 3:4 pending [4] - 74:6, 148:8, 152:6, 314:27 peninsula [1] - 84:19 people [94] - 24:28, 38:28, 43:16, 48:21, 64:22, 64:26, 65:13, 65:22, 65:27, 66:28, 75:2, 79:17, 79:26, 88:18, 90:7, 93:18, 94:11, 97:14, 99:28, 102:8, 104:19, 105:28, 106:3,	106:10, 106:11, 106:16, 106:23, 106:27, 107:8, 111:12, 111:13, 113:9, 124:16, 125:1, 125:2, 125:8, 125:23, 134:17, 137:8, 137:9, 137:10, 137:12, 137:14, 146:15, 157:4, 165:23, 173:28, 174:1, 174:23, 177:27, 178:7, 178:14, 179:28, 181:6, 188:4, 192:26, 195:2, 195:23, 196:5, 198:19, 199:5, 199:12, 202:8, 202:10, 206:24, 208:5, 210:28, 211:4, 216:7, 216:9, 236:17, 236:19, 236:23, 236:26, 237:3, 249:13, 251:26, 252:10, 261:19, 264:23, 280:7, 280:10, 280:13, 285:23, 287:24, 292:15, 293:28, 294:8, 294:10, 298:28, 299:1, 299:26, 308:1 people's [2] - 192:27, 211:5 per [10] - 12:20, 12:22, 14:20, 15:9, 16:20, 16:22, 17:12, 34:15, 68:21, 189:11 percent [14] - 41:18, 73:23, 75:27, 218:28, 219:5, 219:22, 219:26, 219:27, 220:27, 229:3, 260:28, 264:14, 299:4, 299:5 percentage [1] - 220:7 perfect [1] - 304:1 performance [3] - 152:2, 156:25, 314:23 performed [1] - 72:18 performing [1] - 65:19 period [3] - 183:4, 189:10, 285:10 periodically [2] - 42:11, 43:4 permanent [3] - 154:10, 199:7,
	P			
	p.m [2] - 215:18, 316:12 Package [1] - 5:20 PACKAGE [1] - 34:25 package [4] - 35:3, 35:8, 193:23, 213:19 packet [1] - 89:6 packing [1] - 200:20 page [3] - 39:16, 88:26, 174:2 Page [6] - 12:16, 167:20, 167:26, 168:5, 168:7, 168:12 pages [1] - 10:16 paid [23] - 94:24, 96:16, 96:20, 158:20, 160:5, 160:14, 160:23, 160:24, 163:5, 163:10, 163:11, 163:16, 163:19, 164:28, 165:1, 168:16, 168:22, 171:7, 171:16, 178:21, 286:26, 312:11 PAINTING [1] - 35:22			

242:15 permission [2] - 105:9, 138:23 Permission [1] - 5:27 PERMISSION [1] - 39:25 person [43] - 22:14, 25:8, 68:17, 69:24, 104:22, 104:26, 108:21, 108:22, 109:15, 111:17, 111:18, 117:10, 154:10, 154:17, 154:21, 165:9, 177:7, 177:18, 186:6, 193:17, 194:1, 196:18, 198:27, 201:27, 210:13, 210:23, 242:25, 249:3, 263:2, 279:20, 279:21, 288:22, 288:25, 289:22, 289:27, 290:17, 298:4, 298:5, 299:22, 312:15 person's [1] - 232:27 personal [2] - 9:3, 95:23 personalities [2] - 156:25, 198:25 personally [5] - 93:21, 95:15, 104:20, 209:24, 252:27 Personnel [12] - 2:14, 132:27, 146:9, 155:11, 173:12, 180:11, 188:12, 192:21, 197:17, 292:6, 292:7, 295:21 PERSONNEL [1] - 6:25 personnel [7] - 133:27, 160:4, 190:5, 251:12, 251:16, 295:22 persons [2] - 154:22, 154:24 pertinent [1] - 24:19 Phase [3] - 46:13, 48:3, 50:9 phenomenal [2] - 289:1, 293:7 phone [1] - 47:3 phones [1] - 72:6 phrase [1] - 311:15 physical [2] - 151:28, 314:21 pick [2] - 207:28, 216:25	picking [1] - 82:8 pickup [1] - 9:1 Pickup [1] - 6:13 PICKUP [1] - 82:2 picture [5] - 45:14, 47:11, 47:13, 47:18, 313:7 pictures [3] - 45:11, 46:9, 92:1 pie [1] - 250:8 piece [1] - 275:20 pieces [1] - 248:3 PIERCE [4] - 71:15, 77:10, 77:28, 78:5 Pierce [2] - 3:14, 59:23 pipe [1] - 70:16 pipes [1] - 51:21 pistols [1] - 9:10 place [20] - 18:1, 18:12, 18:23, 20:17, 21:5, 40:7, 64:16, 102:27, 115:11, 117:5, 119:3, 125:10, 210:9, 254:21, 268:11, 269:13, 285:14, 304:2, 309:7, 309:19 placed [1] - 103:25 places [7] - 116:24, 160:22, 167:22, 176:27, 206:24, 294:18, 300:27 plain [1] - 154:19 plan [39] - 28:20, 28:28, 31:19, 49:15, 92:5, 198:21, 199:11, 201:26, 203:4, 203:6, 203:20, 203:21, 205:27, 207:17, 208:20, 208:24, 209:13, 211:2, 213:6, 217:22, 258:5, 258:20, 258:24, 259:14, 270:9, 270:13, 272:5, 272:9, 272:15, 272:25, 272:27, 279:11, 279:14, 279:17, 298:28, 309:18 Plan [1] - 73:18 Planner [1] - 2:22 PLANNING [1] - 6:19 planning [2] - 23:11, 92:3 Planning [21] - 2:16, 2:22, 85:2, 85:14, 85:24, 86:6, 86:7,	86:12, 87:16, 87:22, 87:23, 88:2, 90:18, 91:27, 100:17, 102:15, 190:10, 190:13, 191:21, 262:17 plans [3] - 40:8, 92:10, 123:23 plateful [1] - 235:24 play [4] - 115:12, 115:14, 252:4 players [3] - 265:13, 298:13, 309:6 playing [3] - 270:25, 271:3, 271:20 pleasure [1] - 241:10 Pledge [2] - 8:7, 8:11 plug [1] - 139:22 Point [2] - 85:8, 86:9 point [47] - 20:8, 24:28, 31:7, 45:6, 45:25, 48:18, 52:9, 68:14, 70:9, 72:9, 73:20, 75:12, 80:1, 85:9, 91:9, 94:28, 147:5, 154:9, 155:21, 156:19, 158:11, 159:18, 160:15, 178:19, 183:11, 183:24, 187:13, 188:19, 198:21, 234:22, 243:12, 257:10, 271:8, 272:21, 280:3, 285:17, 288:28, 295:8, 295:11, 298:15, 300:17, 300:19, 300:20, 300:23, 301:5, 306:25, 311:23 pointing [3] - 27:11, 277:7, 308:11 points [1] - 221:2 POLICE [2] - 17:22, 18:8 Police [2] - 5:4, 5:6 police [4] - 17:27, 18:11, 84:16, 84:20 policy [14] - 155:7, 159:4, 159:5, 160:4, 161:16, 161:19, 162:2, 162:9, 169:8, 169:11, 172:5, 250:21, 297:16, 302:28 polished [2] - 267:5, 267:8 political [4] - 187:22, 194:24, 195:1,	260:24 politically [2] - 194:25, 196:1 politics [3] - 270:25, 271:6, 271:20 pond [5] - 46:16, 49:26, 50:7, 50:8, 50:13 ponds [3] - 46:24, 47:14, 47:19 poor [1] - 124:8 Pope [1] - 21:22 population [1] - 75:1 Porsche [2] - 7:21, 136:27 PORSCHE [1] - 136:18 Portable [1] - 4:11 PORTABLE [1] - 11:18 portable [1] - 11:21 Porter [1] - 15:26 portion [3] - 23:19, 24:14, 295:21 Position [1] - 6:27 position [48] - 68:11, 134:10, 134:19, 146:27, 153:26, 178:15, 181:10, 182:25, 188:24, 188:28, 192:18, 192:25, 193:19, 196:6, 196:7, 196:9, 210:17, 210:25, 220:3, 235:20, 246:7, 247:11, 248:24, 250:23, 251:3, 253:11, 254:6, 254:7, 255:5, 255:9, 257:1, 258:11, 279:24, 280:2, 284:7, 284:8, 284:12, 284:14, 284:20, 290:13, 292:10, 292:11, 296:17, 296:19, 297:16, 304:21, 306:7, 307:1 POSITION [1] - 134:6 positions [33] - 134:18, 146:18, 146:22, 146:23, 153:24, 153:27, 154:18, 154:21, 155:3, 155:26, 158:4, 162:23, 176:28, 177:21, 178:15, 187:22, 188:22, 189:6, 189:21, 195:26,	213:13, 220:25, 235:17, 235:22, 242:10, 252:7, 257:17, 259:2, 290:14, 290:15, 297:24, 299:21, 309:9 positive [1] - 65:5 possibilities [1] - 179:6 possible [4] - 59:7, 76:8, 147:2, 177:13 possibly [2] - 155:23, 300:24 post [3] - 157:8, 158:4, 176:23 postpone [2] - 127:14, 127:17 pot [1] - 9:23 potential [3] - 87:13, 87:26, 88:6 potentially [5] - 76:16, 87:11, 226:19, 298:5, 300:1 power [2] - 135:19, 189:23 Power [6] - 12:12, 12:20, 12:24, 13:11, 13:23 POWERED [1] - 11:18 Powered [1] - 4:11 powered [1] - 11:21 powers [1] - 189:19 practices [2] - 76:25, 76:27 practicing [1] - 76:26 prayer [1] - 8:10 Pre [1] - 6:26 PRE [1] - 134:6 Pre-Construction [1] - 6:26 PRE-CONSTRUCTION [1] - 134:6 predicament [1] - 111:6 prefer [1] - 61:15 preliminary [1] - 49:15 preparation [1] - 40:18 prepared [4] - 89:6, 104:13, 202:9, 212:26 prerequisites [1] - 108:20 Prescribed [1] - 5:26 PRESCRIBED [1] - 37:2 prescribed [2] - 37:9, 37:12
--	---	--	---	---

<p>PRESENT [3] - 2:3, 2:8, 3:3 present [4] - 78:2, 87:24, 256:14, 278:10 presented [11] - 25:9, 28:12, 69:14, 188:3, 188:5, 255:28, 256:4, 278:10, 280:21, 280:25, 288:1 preserves [1] - 257:19 presiding [1] - 248:28 presumptuous [1] - 183:22 pretty [10] - 45:7, 45:10, 66:10, 108:1, 157:8, 158:3, 218:17, 238:15, 247:21, 250:6 preventative [1] - 12:8 Preventive [1] - 4:13 PREVENTIVE [1] - 12:5 preventive [1] - 12:15 previous [4] - 28:6, 153:26, 177:7, 289:21 Prewett [1] - 7:19 PREWETT [1] - 91:3 price [2] - 11:23, 41:13 Price [1] - 218:26 prices [2] - 10:21, 11:8 primary [1] - 72:11 principal [1] - 110:26 print [1] - 89:15 printed [1] - 281:18 PRINTING [1] - 20:26 Printing [1] - 5:12 printing [1] - 21:2 private [4] - 25:14, 53:11, 102:21, 102:22 privy [1] - 123:22 PROBATE [1] - 20:27 Probate [5] - 5:12, 21:4, 187:26, 195:14, 265:23 problem [17] - 46:26, 48:15, 49:3, 49:6, 52:8, 76:1, 104:24, 112:12, 129:28, 204:28, 209:20, 209:24, 251:25, 278:18, 278:21, 290:15, 304:19 problems [5] - 104:18, 104:23, 111:18,</p>	<p>111:24, 210:1 procedural [1] - 75:12 Procedures [1] - 73:9 proceed [2] - 189:26, 206:1 PROCEEDINGS [1] - 1:2 proceedings [3] - 1:12, 317:8, 317:14 process [22] - 23:10, 25:7, 73:10, 76:23, 77:19, 80:5, 82:17, 150:5, 156:25, 156:28, 157:2, 157:4, 157:5, 189:18, 200:23, 204:18, 221:17, 221:18, 289:11, 291:27, 298:24 productivity [1] - 253:13 profession [2] - 267:11, 267:14 Professional [1] - 91:23 professional [5] - 12:17, 72:21, 73:16, 151:28, 314:21 Program [4] - 6:18, 170:16, 235:14, 235:23 PROGRAM [2] - 83:13, 135:5 program [10] - 101:6, 101:11, 118:6, 120:10, 120:20, 120:23, 122:15, 123:5, 135:17, 175:5 Program.... [1] - 7:11 programs [1] - 64:26 progression [1] - 73:2 project [6] - 38:4, 40:1, 40:8, 40:10, 63:1, 143:6 Project [2] - 5:14, 21:19 PROJECT [2] - 21:14, 139:10 project-related [1] - 40:10 Project..... [1] - 7:8 [1] - 7:8 projects [2] - 24:21, 24:26 Projects [1] - 5:27 PROJECTS [1] - 39:24 pronounce [1] - 136:27 Property [3] - 6:20, 6:21, 7:19</p>	<p>PROPERTY [3] - 84:28, 87:5, 91:3 property [20] - 9:7, 48:16, 48:19, 48:25, 48:27, 51:5, 53:11, 53:28, 54:3, 85:8, 87:9, 87:12, 87:24, 88:5, 91:13, 91:15, 92:2, 92:9, 118:7 proposal [1] - 22:27 PROPOSED [1] - 43:9 Proposed [1] - 6:5 proposed [7] - 43:14, 92:6, 152:9, 277:28, 278:4, 278:5, 315:2 propriety [1] - 155:3 protect [3] - 111:10, 159:18, 261:26 protected [1] - 178:8 protection [1] - 205:21 proved [1] - 64:21 provide [8] - 12:26, 26:8, 30:17, 66:28, 103:22, 103:23, 115:17, 115:18 PROVIDE [1] - 64:6 Provide [1] - 7:4 provided [10] - 72:4, 98:20, 105:24, 114:15, 114:26, 115:7, 115:11, 115:16, 181:11, 261:27 provides [1] - 146:6 providing [5] - 103:13, 103:14, 110:21, 114:10, 119:4 PROVISION [10] - 10:6, 10:28, 11:17, 16:12, 17:2, 17:22, 18:8, 18:18, 20:10, 20:26 provision [8] - 56:1, 154:8, 169:6, 185:21, 193:13, 193:17, 194:7, 194:16 Provision [10] - 4:6, 4:9, 4:11, 4:23, 4:25, 5:4, 5:6, 5:8, 5:10, 5:11 provisions [11] - 10:17, 11:5, 11:20, 16:17, 17:7, 17:27, 18:11, 18:21, 20:16, 21:2, 171:15 Provisions [1] - 153:19 public [18] - 23:17,</p>	<p>26:9, 80:7, 86:14, 86:16, 86:23, 86:25, 86:27, 86:28, 88:1, 90:23, 90:26, 92:13, 152:3, 156:27, 176:12, 206:21, 314:24 publish [1] - 179:17 published [1] - 144:5 pull [8] - 43:28, 79:18, 127:18, 127:22, 139:22, 266:5, 267:24, 268:9 pulled [2] - 174:18, 233:24 pumping [1] - 111:5 PURCHASE [1] - 34:24 Purchase [2] - 5:20, 35:10 purchase [5] - 35:2, 35:7, 36:2, 36:8, 36:10 purchased [1] - 8:28 Purchasing [3] - 3:18, 36:2, 40:6 pure [4] - 194:24, 194:25, 195:1 purpose [3] - 30:16, 56:14, 72:11 purposes [4] - 56:24, 75:22, 185:19, 268:13 Pursley [1] - 87:16 pursuant [3] - 169:22, 171:5, 193:19 pursue [5] - 76:22, 188:19, 193:8, 194:10, 298:23 pursues [2] - 152:9, 315:2 pursuing [2] - 189:17, 200:23 pursuit [1] - 198:28 push [1] - 254:26 pushed [2] - 200:8, 293:11 put [84] - 23:8, 25:5, 26:4, 31:28, 48:23, 48:27, 49:9, 51:8, 61:10, 67:28, 76:25, 77:15, 80:7, 80:15, 80:16, 93:27, 93:28, 102:26, 103:20, 107:18, 107:26, 112:14, 137:28, 138:6, 142:16, 157:4, 160:12, 164:28, 166:24, 173:12, 174:14,</p>	<p>176:18, 176:28, 177:5, 178:16, 183:22, 184:1, 185:21, 190:1, 192:24, 193:6, 193:13, 193:25, 194:7, 196:7, 199:7, 201:9, 203:20, 204:7, 205:4, 205:15, 209:13, 211:2, 211:4, 216:20, 217:2, 217:25, 226:2, 226:6, 226:14, 227:11, 227:26, 228:6, 230:26, 231:4, 236:23, 237:2, 237:10, 237:22, 262:27, 264:14, 270:19, 279:24, 280:7, 280:13, 280:17, 282:13, 287:16, 289:26, 296:1, 298:1, 306:6, 312:25, 313:9 Put [1] - 237:18 puts [4] - 111:13, 236:5, 268:14, 309:18 putting [5] - 51:4, 185:25, 185:28, 200:21, 250:7 puzzle [1] - 275:21</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>Q-1 [1] - 64:9 q-1 [2] - 7:4, 64:6 q-2 [2] - 7:6, 71:12 Q-3 [1] - 62:28 q-3 [2] - 7:7, 139:9 q-4 [2] - 7:9, 144:26 q-5 [2] - 7:10, 135:4 Q-6 [1] - 136:9 q-6 [2] - 7:12, 136:8 qualified [2] - 72:19, 178:15 quality [1] - 19:3 quarter [1] - 34:15 questions [11] - 9:24, 67:23, 77:3, 77:7, 77:13, 78:12, 88:7, 151:3, 151:9, 153:18, 165:5 quick [5] - 10:15, 61:1, 144:16, 149:1, 150:15 quicker [1] - 49:21</p>
--	---	--	---	---

<p>quickly [3] - 44:17, 74:13, 297:14</p> <p>quite [3] - 75:4, 79:25, 105:13</p> <p>quote [4] - 22:25, 36:1, 36:7, 193:28</p> <p>quoted [1] - 262:8</p> <p>QUOTES [1] - 35:22</p> <p>quotes [2] - 30:14, 35:26</p> <p>Quotes [1] - 5:22</p>	<p>re [8] - 85:11, 85:14, 85:28, 86:2, 87:9, 87:21, 91:9, 92:10</p> <p>Re [1] - 6:23</p> <p>RE [1] - 132:24</p> <p>re-advertised [2] - 85:14, 87:21</p> <p>Re-Naming [1] - 6:23</p> <p>RE-NAMING [1] - 132:24</p> <p>re-zone [4] - 85:11, 87:9, 91:9, 92:10</p> <p>re-zoning [2] - 85:28, 86:2</p> <p>reach [4] - 77:13, 221:25, 227:10, 266:1</p> <p>reached [1] - 53:8</p> <p>react [1] - 77:20</p> <p>read [10] - 32:5, 89:26, 169:5, 174:15, 193:14, 212:13, 281:17, 309:1, 314:16</p> <p>reading [1] - 244:23</p> <p>reads [2] - 171:20, 281:16</p> <p>ready [9] - 23:9, 47:6, 106:13, 203:6, 216:3, 217:26, 243:7, 268:14</p> <p>real [4] - 9:20, 144:16, 149:1, 150:15</p> <p>reality [1] - 253:18</p> <p>realize [2] - 233:8, 253:2</p> <p>Really [1] - 104:5</p> <p>really [27] - 37:25, 56:23, 66:3, 67:9, 71:18, 89:18, 96:18, 104:27, 105:17, 126:7, 126:9, 134:20, 149:28, 188:11, 193:16, 195:18, 195:24, 196:4, 199:21, 208:25, 240:26, 251:7, 252:10, 260:21, 263:14, 293:2, 309:24</p> <p>Reappraisal [1] - 2:19</p> <p>rearranging [1] - 106:14</p> <p>reason [16] - 31:28, 57:24, 105:27, 137:1, 137:2, 159:23, 173:15, 184:8, 195:8, 199:24, 204:1, 229:4, 251:2,</p>	<p>265:19, 289:16</p> <p>reasoning [1] - 192:19</p> <p>Rebecca [1] - 57:24</p> <p>rebuttal [2] - 123:24, 236:16</p> <p>recap [1] - 215:24</p> <p>receive [9] - 83:26, 158:20, 159:26, 160:20, 160:22, 160:24, 162:5, 165:2, 171:20</p> <p>received [3] - 35:13, 117:18, 120:20</p> <p>receives [1] - 83:21</p> <p>recent [2] - 87:19, 224:22</p> <p>recently [1] - 135:26</p> <p>reception [1] - 103:25</p> <p>recess [5] - 144:22, 208:23, 213:23, 214:18, 214:23</p> <p>recessed [2] - 153:8, 215:16</p> <p>recited [1] - 8:11</p> <p>recognize [2] - 289:1, 307:26</p> <p>recommend [4] - 86:8, 87:23, 90:19, 256:20</p> <p>recommendation [9] - 37:10, 40:5, 90:20, 134:8, 151:21, 152:16, 154:28, 223:8, 314:18</p> <p>recommendations [2] - 262:2</p> <p>Recommendations [1] - 138:7</p> <p>recommended [2] - 87:19, 91:27</p> <p>recommends [1] - 91:28</p> <p>reconsidered [1] - 85:15</p> <p>reconvene [5] - 152:12, 186:26, 208:23, 213:24, 215:14</p> <p>record [4] - 57:24, 74:26, 85:28, 261:21</p> <p>records [1] - 74:27</p> <p>red [1] - 145:28</p> <p>reduce [1] - 309:13</p> <p>reference [1] - 45:25</p> <p>referring [2] - 49:21, 191:1</p> <p>reflection [1] - 266:19</p> <p>regard [1] - 19:1</p> <p>regarding [2] - 23:11, 138:22</p> <p>regardless [2] -</p>	<p>246:19, 289:27</p> <p>Region [1] - 7:21</p> <p>REGION [1] - 136:18</p> <p>Regional [2] - 100:17, 102:15</p> <p>Regions [3] - 26:18, 26:23, 26:25</p> <p>regular [3] - 61:7, 184:22, 186:18</p> <p>rehires [1] - 111:12</p> <p>reimburse [1] - 57:19</p> <p>reimburses [1] - 220:27</p> <p>reiterate [1] - 220:26</p> <p>reiterating [1] - 201:20</p> <p>rejoined [1] - 282:28</p> <p>Related [1] - 7:9</p> <p>related [2] - 40:10, 74:3</p> <p>RELATED [1] - 144:26</p> <p>relates [4] - 68:7, 68:24, 69:7, 120:24</p> <p>relationships [2] - 72:22, 265:21</p> <p>relative [2] - 69:25, 143:6</p> <p>released [3] - 74:22, 157:18, 157:27</p> <p>rely [1] - 251:17</p> <p>remain [6] - 76:12, 85:27, 120:24, 212:5, 258:24, 269:12</p> <p>remaining [2] - 73:28, 290:15</p> <p>remains [1] - 257:7</p> <p>remarkable [1] - 70:22</p> <p>remember [2] - 40:2, 141:19</p> <p>remove [2] - 235:11, 300:3</p> <p>removed [4] - 47:5, 173:27, 174:2, 174:12</p> <p>rename [1] - 133:10</p> <p>renaming [1] - 92:28</p> <p>rendering [1] - 267:2</p> <p>renew [2] - 212:18, 312:10</p> <p>renewable [1] - 53:23</p> <p>RENEWAL [1] - 20:28</p> <p>Renewal [1] - 5:13</p> <p>renewal [1] - 21:4</p> <p>renewing [1] - 310:22</p> <p>renovate [2] - 22:26, 23:27</p> <p>renovating [2] - 23:4, 23:24</p> <p>Renovation [1] - 5:16</p> <p>RENOVATION [1] -</p>	<p>22:17</p> <p>renovation [4] - 22:22, 23:7, 23:18, 25:6</p> <p>RENOVATIONS [1] - 138:18</p> <p>Renovations [1] - 7:23</p> <p>renovations [2] - 138:24, 138:25</p> <p>rent [2] - 119:7, 121:25</p> <p>RENTAL [2] - 11:17, 20:10</p> <p>Rental [2] - 4:11, 5:10</p> <p>rental [2] - 11:20, 20:16</p> <p>renting [1] - 25:13</p> <p>Repair [1] - 4:7</p> <p>repair [1] - 10:18</p> <p>REPAIR [1] - 10:7</p> <p>replace [1] - 250:4</p> <p>REPLACEMENT [1] - 21:14</p> <p>Replacement [1] - 5:14</p> <p>replacement [1] - 21:20</p> <p>REPLACING [1] - 35:22</p> <p>Replacing [1] - 5:22</p> <p>replacing [3] - 35:26, 40:17, 62:3</p> <p>REPORT [1] - 71:12</p> <p>Report [1] - 7:6</p> <p>report [2] - 71:17, 298:7</p> <p>Reporter [2] - 1:16, 317:25</p> <p>reporting [1] - 295:10</p> <p>represent [1] - 294:1</p> <p>representation [1] - 314:20</p> <p>represents [1] - 317:9</p> <p>reputation [1] - 151:27</p> <p>REQUEST [8] - 39:24, 52:20, 64:6, 91:3, 136:17, 138:17, 151:19, 314:14</p> <p>request [20] - 24:13, 37:8, 42:12, 52:25, 57:6, 57:16, 57:21, 58:12, 85:11, 85:25, 85:26, 86:11, 87:9, 87:18, 87:21, 91:9, 136:25, 138:21, 138:26</p> <p>Request [7] - 5:27, 6:7, 7:4, 7:20, 7:22, 7:25, 7:26</p>
R				
<p>R's [1] - 237:18</p> <p>r-1 [2] - 7:14, 60:27</p> <p>r-2 [2] - 7:16, 78:18</p> <p>r-3 [2] - 7:17, 82:26</p> <p>r-4 [2] - 7:19, 91:3</p> <p>r-5 [2] - 7:20, 136:17</p> <p>r-6 [2] - 7:22, 138:17</p> <p>R-7 [2] - 7:25, 151:19</p> <p>R-8 [2] - 7:26, 314:14</p> <p>RA [2] - 87:10, 89:19</p> <p>racial [1] - 109:27</p> <p>rain [5] - 45:6, 45:7, 45:9, 45:10, 45:15</p> <p>raise [10] - 176:17, 198:27, 211:5, 221:13, 221:20, 221:25, 224:22, 261:1, 272:21</p> <p>raised [2] - 67:6, 158:11</p> <p>raises [1] - 236:19</p> <p>raising [2] - 160:8, 272:23</p> <p>ramifications [4] - 147:12, 148:7, 152:5, 314:26</p> <p>ran [3] - 94:1, 107:17, 235:5</p> <p>Ranch [1] - 42:3</p> <p>range [9] - 173:14, 173:16, 176:10, 176:17, 176:23, 176:28, 179:13, 180:8, 181:6</p> <p>Ranger [1] - 9:12</p> <p>Rangers [3] - 9:1, 9:5, 9:21</p> <p>ranked [1] - 223:28</p> <p>ranking [2] - 224:5, 224:9</p> <p>rarely [1] - 177:13</p> <p>rate [3] - 11:24, 11:25, 79:27</p> <p>rated [1] - 181:3</p> <p>rather [1] - 188:20</p>				

Request	95:12, 235:6, 235:21, 236:27, 274:22	reviewed [2] - 54:4, 74:27	rolls [1] - 212:7	262:16, 262:23, 262:25, 263:6, 263:8, 263:27, 264:3, 264:20, 265:9, 266:15, 266:18, 266:25, 267:4, 267:8, 267:12, 267:15, 282:22, 283:26, 284:2, 284:23, 287:1, 287:6, 296:8, 298:22, 298:26, 301:16, 301:19, 302:27, 307:19, 307:23, 308:10, 309:2, 309:23, 310:25, 311:23, 311:28, 312:2, 312:20
..... [1] - 7:19		reviewing [1] - 295:22	RON [160] - 8:17, 8:20, 63:13, 122:14, 122:18, 122:23, 122:26, 135:15, 135:25, 136:1, 136:9, 136:20, 136:25, 138:8, 138:20, 139:13, 139:28, 140:17, 140:27, 141:1, 141:11, 141:19, 141:23, 141:26, 158:15, 158:22, 159:1, 159:3, 159:7, 159:10, 159:14, 159:17, 159:21, 160:1, 160:17, 160:26, 161:1, 161:4, 161:7, 162:12, 166:3, 167:4, 167:15, 167:23, 168:7, 169:14, 171:1, 171:17, 172:9, 173:17, 173:20, 173:23, 175:22, 175:25, 175:27, 176:5, 183:5, 183:9, 183:13, 183:16, 183:18, 183:20, 191:14, 191:21, 191:27, 192:2, 196:24, 196:27, 197:4, 197:13, 197:17, 197:21, 197:25, 197:27, 198:2, 198:7, 200:11, 200:13, 228:11, 232:10, 232:15, 233:14, 233:28, 239:15, 240:25, 240:28, 241:7, 241:12, 241:15, 241:19, 244:12, 245:11, 245:14, 245:17, 245:20, 245:26, 246:2, 247:15, 247:19, 248:1, 248:6, 249:20, 249:26, 250:5, 250:12, 251:9, 251:21, 252:19, 252:21, 252:23, 253:22, 253:24, 253:28, 254:4, 254:9, 257:14, 260:9, 261:7, 261:13, 261:18, 262:12, 262:14,	262:16, 262:23, 262:25, 263:6, 263:8, 263:27, 264:3, 264:20, 265:9, 266:15, 266:18, 266:25, 267:4, 267:8, 267:12, 267:15, 282:22, 283:26, 284:2, 284:23, 287:1, 287:6, 296:8, 298:22, 298:26, 301:16, 301:19, 302:27, 307:19, 307:23, 308:10, 309:2, 309:23, 310:25, 311:23, 311:28, 312:2, 312:20
requested [4] - 30:13, 137:5, 218:14, 248:19	responsible [4] - 28:16, 74:15, 111:14, 196:20	revisions [1] - 86:11		
requesting [1] - 140:5	rest [5] - 59:19, 150:16, 189:1, 210:27, 294:3	rezoning [1] - 91:11		
requests [1] - 42:11	RESTORATION [3] - 14:11, 14:28, 15:17	Rezonig [2] - 6:21, 7:19		
require [2] - 299:3, 302:3	Restoration [3] - 4:15, 4:18, 4:21	REZONING [3] - 84:28, 87:5, 91:3		
required [3] - 147:28, 289:26, 297:7	restoration [3] - 14:17, 15:6, 15:23	Rezonig... [1] - 6:20		
requirement [1] - 171:5	restraint [1] - 192:14	Rhodes [1] - 100:19		
requirements [5] - 54:6, 153:18, 169:22, 178:1, 279:19	restroom [1] - 281:9	Ricky [2] - 100:19		
requires [2] - 146:20, 176:21	result [4] - 116:20, 134:10, 148:11, 317:14	rid [2] - 9:13, 41:7		
resay [1] - 255:4	results [2] - 73:6, 74:8	ride [2] - 106:23, 106:26		
research [7] - 243:11, 244:22, 289:20, 291:3, 292:4, 292:13, 292:27	resumed [3] - 144:23, 153:10, 215:18	Ridge [5] - 6:6, 43:15, 44:23, 46:13, 82:10		
researched [1] - 188:1	RESURFACING [1] - 39:24	RIDGE [1] - 43:10		
researching [2] - 293:5, 306:28	resurfacing [2] - 40:1, 40:8	RIGHT [1] - 10:7		
reserve [2] - 154:28	Resurfacing [1] - 5:27	Right-of-Ways [1] - 4:7		
RESIDENTIAL [1] - 81:11	retable [1] - 123:14	RIGHT-OF-WAYS [1] - 10:7		
Residential [2] - 6:12, 91:10	retardation [1] - 64:24	right-of-ways [1] - 10:18		
residential [3] - 81:23, 91:18, 91:26	retention [4] - 49:26, 50:7, 50:8, 50:12	rise [1] - 143:27		
residents [2] - 72:1, 115:11	retire [5] - 64:13, 159:24, 162:3, 162:26, 170:6	RIVER [1] - 58:23		
resignation [2] - 107:18, 287:7	retired [4] - 106:28, 159:28, 170:17, 171:4	River [8] - 6:9, 59:1, 95:27, 97:23, 100:12, 103:19, 110:26		
resolution [5] - 67:14, 67:16, 82:7, 108:23, 260:17	retirement [4] - 66:21, 163:25, 164:8, 169:12	road [10] - 45:23, 46:3, 49:4, 51:9, 51:10, 51:21, 101:20, 102:6, 287:8, 309:16		
resolve [5] - 73:4, 108:28, 257:27, 268:15, 268:22	Retirement [3] - 161:16, 169:17, 169:23	Road [18] - 5:14, 6:6, 6:9, 7:16, 21:21, 40:13, 43:15, 43:24, 47:24, 47:26, 59:1, 79:8, 85:23, 87:15, 87:16, 91:14, 235:14		
resolved [2] - 213:21, 257:21	retires [1] - 76:14	ROAD [5] - 21:15, 43:10, 58:23, 78:18		
respect [2] - 257:26, 289:6	retiring [1] - 169:22	roads [1] - 40:11		
respected [1] - 289:7	retro [1] - 183:14	roadway [1] - 48:23		
respond [1] - 75:21	return [1] - 152:25	Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
response [10] - 73:1, 76:13, 78:13, 152:26, 153:4, 172:15, 181:20, 182:9, 312:26, 315:26	REVENUE [1] - 8:14	ROBERTSDALE [1] - 135:4		
responsibilities [1] - 260:28	revenue [5] - 65:6, 65:7, 65:23, 83:26, 185:18	roads [1] - 40:11		
responsibility [5] -	Revenue [5] - 2:18, 4:4, 187:26, 195:15, 265:22	Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
	Reverend [2] - 113:27, 114:1	ROBERTSDALE [1] - 135:4		
	reverse [1] - 237:28	roads [1] - 40:11		
	review [2] - 145:22, 175:19	roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1:14, 7:10, 135:14, 135:16, 136:1		
		ROBERTSDALE [1] - 135:4		
		roads [1] - 40:11		
		roadway [1] - 48:23		
		Robertsdale [5] - 1		

<p>round [1] - 135:17 roundabout [2] - 91:15, 107:12 roundabouts [1] - 79:16 roundtrip [1] - 75:18 route [1] - 265:11 routinely [3] - 42:1, 42:5, 42:7 RR [5] - 87:10, 87:19, 87:21, 87:28, 89:23 RSA [4] - 158:25, 159:2, 159:12, 164:8 RSF-2 [4] - 85:11, 86:3, 91:10, 91:16 RSF-4 [1] - 85:25 rule [1] - 25:16 ruled [1] - 73:27 rules [7] - 112:13, 112:15, 112:18, 143:21, 143:22, 161:17, 164:8 rumble [2] - 80:11, 80:12 run [24] - 70:22, 70:24, 93:15, 95:22, 97:10, 104:22, 104:26, 104:27, 105:1, 107:1, 107:23, 112:26, 118:5, 120:10, 120:11, 120:20, 125:10, 128:22, 187:3, 164:19, 264:22, 284:16, 287:10 running [7] - 64:2, 93:25, 102:6, 104:15, 120:10, 149:20, 149:25 runs [2] - 108:22, 109:18</p>	<p>176:3, 177:3, 179:13, 179:22, 183:3, 193:22, 220:27, 257:6, 267:18, 286:22, 304:19, 305:4, 305:5, 306:2, 306:3, 306:6, 306:11, 306:26, 306:28, 307:13, 309:13 Sale [1] - 4:4 SALE [1] - 8:13 sale [4] - 8:21, 8:28, 41:2, 102:1 SANGSTER [2] - 47:11, 47:17 Sangster [1] - 2:26 SARPC [11] - 94:19, 100:12, 100:13, 103:3, 103:20, 110:11, 118:4, 118:5, 118:6, 118:7, 127:4 Satellite [2] - 5:17, 22:23 SATELLITE [1] - 22:18 satisfies [1] - 54:6 satisfy [2] - 258:14, 259:13 save [3] - 8:25, 30:22, 234:3 savings [2] - 134:10, 134:24 saw [7] - 39:12, 62:28, 112:21, 172:9, 179:1, 241:12, 262:27 scale [4] - 175:15, 177:26, 180:4, 181:3 scared [5] - 221:13, 221:24, 229:2, 264:4, 264:8 scary [1] - 310:20 scenario [1] - 247:18 scene [2] - 73:4, 75:23 scenes [2] - 75:22, 75:25 Scenic [1] - 85:23 Schedule [1] - 7:12 SCHEDULE [1] - 136:8 schedule [1] - 183:27 scheduled [1] - 85:16 schedules [2] - 213:27, 214:8 schematics [1] - 23:3 Schlesinger [1] - 65:15 School [14] - 6:7, 52:27, 53:8, 53:14,</p>	<p>53:18, 54:3, 54:11, 54:12, 55:16, 55:23, 56:6, 57:2, 58:14, 80:26 SCHOOL [1] - 52:20 school [9] - 52:25, 53:1, 53:3, 53:27, 56:6, 80:28, 81:3, 262:11 Science [2] - 73:25, 74:8 scores [1] - 235:15 scratch [1] - 52:11 se [2] - 68:21, 189:11 searching [1] - 176:27 sec [1] - 314:19 second [18] - 12:19, 22:22, 22:26, 23:5, 23:6, 23:18, 23:19, 23:24, 24:5, 24:24, 32:6, 82:5, 152:20, 216:13, 239:10, 315:22, 315:24 SECOND [1] - 22:17 Second [1] - 5:16 seconded [1] - 152:23 Secretary [1] - 295:16 section [5] - 32:4, 32:23, 40:15, 103:24, 193:25 Section [8] - 12:16, 12:22, 151:26, 152:4, 153:19, 312:9, 314:18, 314:25 SECURITY [1] - 58:24 Security [2] - 6:9, 59:2 SEDLACK [25] - 44:11, 44:15, 44:18, 44:21, 44:25, 45:4, 45:17, 46:7, 46:10, 48:8, 48:12, 49:8, 49:12, 49:23, 50:27, 51:3, 51:14, 51:17, 51:22, 51:24, 51:26, 52:2, 52:5, 52:7, 79:2 Sedlack [7] - 3:10, 44:10, 44:12, 47:9, 48:6, 48:11, 79:3 Sedlack's [5] - 44:24, 45:12, 45:20, 45:22, 46:5 see [49] - 22:8, 28:17, 46:22, 51:17, 59:19, 62:22, 65:23, 77:24, 78:20, 81:14, 83:3, 85:2, 87:17, 91:15, 111:27, 117:4, 119:12, 123:5,</p>	<p>124:28, 126:19, 128:15, 128:17, 129:20, 132:26, 136:28, 137:13, 145:25, 179:4, 182:4, 189:8, 189:21, 190:13, 190:18, 194:22, 201:11, 209:24, 232:5, 243:3, 252:5, 252:8, 255:5, 255:6, 257:1, 267:16, 281:10, 291:8, 291:13, 293:23, 294:22 seeing [3] - 132:16, 256:27, 264:24 seek [2] - 139:23, 157:1 seem [1] - 126:16 sees [1] - 266:2 selected [2] - 259:23, 260:2 sell [2] - 8:27, 9:22 seller [1] - 141:13 Seminars [1] - 7:12 SEMINARS [1] - 136:8 seminars [1] - 136:10 Senator [8] - 27:19, 28:13, 29:6, 29:10, 30:20, 32:1, 32:23, 33:4 Senator's [1] - 28:19 send [4] - 57:3, 145:12, 200:20, 313:6 sending [1] - 188:10 seniors [1] - 19:27 sense [7] - 123:12, 143:28, 174:8, 184:3, 206:10, 308:26, 308:27 sent [11] - 12:26, 12:28, 45:14, 73:22, 74:22, 85:14, 188:14, 220:15, 224:7, 295:28, 297:28 sentence [1] - 160:13 separate [22] - 26:19, 26:25, 154:24, 198:21, 199:11, 200:18, 203:5, 209:14, 211:2, 211:4, 239:24, 252:27, 253:5, 254:28, 260:16, 281:28, 282:2, 285:23, 289:17, 297:25, 297:26,</p>	<p>304:20 separated [6] - 64:17, 64:20, 155:4, 243:9, 254:6 separately [2] - 155:13, 309:28 separating [2] - 203:22, 255:19 separation [3] - 168:18, 199:28, 254:26 serve [12] - 66:11, 66:12, 66:13, 70:8, 71:28, 72:25, 99:23, 154:18, 295:14, 296:12, 298:20, 300:26 served [1] - 285:4 serves [2] - 68:7, 308:3 Service [1] - 17:11 service [18] - 64:28, 65:22, 66:11, 66:17, 105:24, 106:18, 106:22, 110:22, 161:24, 163:18, 169:25, 169:27, 170:4, 170:14, 170:22, 171:6, 179:20, 221:3 Services [5] - 4:13, 4:26, 5:16, 7:4, 11:23 SERVICES [4] - 12:6, 17:2, 22:17, 64:7 services [13] - 12:9, 12:15, 12:17, 17:8, 22:22, 22:26, 32:5, 66:3, 66:28, 114:11, 114:14, 114:25, 250:19 session [43] - 8:5, 59:7, 59:8, 83:7, 104:7, 127:27, 128:7, 129:1, 147:6, 147:9, 148:2, 148:5, 148:27, 149:8, 149:10, 149:12, 150:15, 150:19, 151:1, 151:11, 151:26, 152:10, 152:12, 152:13, 152:19, 152:24, 179:12, 186:8, 186:9, 186:22, 204:26, 215:21, 268:23, 275:23, 297:15, 313:2, 314:19, 315:4, 315:5, 315:8, 315:9,</p>
S				
<p>S.A.I.L [7] - 6:24, 19:2, 19:4, 92:26, 93:9, 102:4, 128:22 safeguard [1] - 76:11 safest [1] - 102:11 safety [1] - 79:9 sake [4] - 163:6, 252:28, 255:27 salaried [1] - 168:17 salaries [9] - 180:8, 181:13, 198:20, 206:25, 207:23, 211:5, 213:11, 213:12, 221:26 salary [22] - 175:7,</p>				

316:3	153:18, 264:27	85:23, 87:15, 91:13,	sixty [18] - 65:21,	48:10, 49:27, 50:2,
SESSION [2] - 151:19,	severance [11] -	91:20, 251:6, 264:8	66:12, 72:7, 76:18,	50:6, 50:10, 50:14,
314:14	149:26, 149:28,	sign [6] - 121:17,	85:17, 170:7,	50:18, 52:10, 52:13,
Session [12] - 1:4,	158:19, 168:21,	178:7, 178:11,	170:12, 171:9,	52:17, 52:22, 54:13,
63:27, 144:23,	193:16, 193:23,	184:17, 185:4, 185:8	171:10, 171:12,	54:18, 54:23, 54:26,
153:8, 153:9,	194:2, 270:3,	signed [6] - 12:25,	220:10, 221:28,	55:4, 55:7, 55:10,
153:10, 215:16,	286:10, 312:11	175:11, 184:14,	224:10, 224:11,	55:14, 55:20, 55:26,
215:18, 279:27,	severe [1] - 79:25	184:16, 184:28,	224:15, 224:16,	56:2, 56:20, 56:25,
283:1, 316:11,	severity [1] - 79:27	205:8	224:24, 233:9	57:4, 57:8, 57:26,
316:12	shall [13] - 146:7,	significant [1] - 45:10	sixty-eight [1] - 76:18	58:3, 58:8, 58:17,
Session [2]	146:13, 146:25,	signify [2] - 152:28,	sixty-five [8] - 72:7,	58:25, 59:12, 59:15,
- 7:25, 7:26	153:23, 154:11,	315:28	220:10, 221:28,	59:21, 59:25, 59:28,
set [19] - 72:13, 73:17,	154:19, 168:15,	signing [2] - 34:12,	224:10, 224:11,	60:4, 60:9, 60:14,
102:23, 103:24,	168:20, 171:7,	221:14	224:15, 224:16,	61:12, 61:17, 61:24, 62:2,
131:12, 132:9,	187:25, 187:27,	SIGNS [1] - 11:18	224:24	62:6, 62:10, 62:15,
173:13, 176:3,	188:21, 299:26	Signs [2] - 4:11, 16:21	sixty-two [1] - 233:9	62:18, 62:21, 62:25,
176:20, 179:18,	share [7] - 24:16,	signs [2] - 11:21,	skew [1] - 188:7	63:6, 63:10, 63:15,
179:19, 196:28,	26:10, 28:21, 71:17,	80:15	skill [4] - 108:23,	63:19, 63:23, 64:8,
210:9, 211:8,	157:4, 278:26,	Silverhill [1] - 45:13	200:3, 296:16,	67:8, 67:12, 67:15,
213:25, 264:19,	298:18	similar [3] - 87:14,	309:14	67:18, 67:22, 67:26,
294:8, 309:14,	shared [2] - 143:7,	95:25, 200:23	skills [2] - 109:24,	68:18, 70:6, 70:12,
311:16	202:14	simple [3] - 112:14,	269:5	70:18, 71:3, 71:6,
setout [2] - 152:2,	sharp [1] - 263:12	267:1, 267:2	skin [1] - 27:11	71:9, 71:13, 77:26,
314:23	sheet [1] - 172:26	simply [1] - 251:18	skinned [1] - 27:13	78:3, 78:6, 78:11,
sets [2] - 49:15, 200:3	sheetrock [1] - 25:2	single [4] - 208:14,	SKIP [655] - 8:3, 8:15,	78:14, 78:19, 78:22,
settled [2] - 201:24,	Shelby [2] - 188:14,	261:20, 270:17,	8:18, 8:22, 9:25,	78:26, 79:4, 79:21,
201:25	293:15	293:25	10:2, 10:9, 10:23,	80:25, 81:2, 81:7,
settlements [1] -	shelter [4] - 262:19,	sister [3] - 68:7,	11:2, 11:12, 12:2,	81:13, 81:17, 81:20,
290:6	264:16, 264:19,	70:17, 70:21	13:1, 13:5, 13:9,	81:27, 82:19, 82:23,
seven [27] - 36:4,	265:3	sit [4] - 179:11, 210:7,	13:15, 13:19, 13:25,	83:4, 83:8, 83:14,
37:12, 37:13, 37:15,	Sheriff [3] - 187:27,	266:5, 297:21	13:28, 14:3, 14:7,	83:27, 84:3, 84:24,
73:23, 74:3, 81:23,	195:14, 265:22	SITE [2] - 20:26, 37:3	14:13, 14:23, 15:2,	85:1, 85:5, 85:20,
91:9, 170:22, 190:3,	shifted [1] - 120:21	Site [1] - 5:12	15:13, 15:19, 16:5,	86:15, 86:18, 86:22,
219:6, 231:21,	shoes [2] - 71:1,	site [4] - 19:5, 21:2,	16:8, 16:14, 16:23,	86:26, 87:2, 87:6,
231:23, 232:2,	260:27	102:16, 102:17	16:26, 17:4, 17:15,	90:16, 90:21, 90:25,
232:4, 234:20,	shoot [1] - 313:7	Site [1] -	17:18, 17:24, 18:4,	90:28, 91:6, 92:12,
238:4, 240:8,	Shores [4] - 84:13,	5:26	18:15, 18:25, 19:25,	92:15, 92:18, 92:21,
240:16, 240:24,	84:15, 84:19, 265:28	sites [2] - 19:2, 39:2	20:12, 20:19, 20:23,	92:27, 93:3, 93:6,
250:17, 250:22,	short [5] - 25:11,	sits [1] - 99:3	21:7, 21:10, 21:17,	93:22, 95:24, 96:3,
313:13	189:10, 242:18,	sitting [3] - 112:11,	21:28, 22:3, 22:6,	96:13, 96:24, 96:28,
seventeen [2] - 74:3,	264:17, 286:3	198:19, 260:27	22:10, 22:13, 22:19,	97:3, 97:7, 98:13,
230:28	short-term [1] - 25:11	situation [10] - 70:24,	23:13, 23:21, 23:26,	98:25, 98:28, 99:7,
seventy [14] - 15:27,	shortened [1] - 284:26	77:2, 77:5, 87:14,	24:3, 24:8, 25:21,	99:10, 99:17, 99:21,
21:24, 35:13, 73:22,	show [6] - 45:9, 76:24,	107:2, 204:4,	25:26, 26:11, 26:17,	99:26, 100:4, 100:7,
73:26, 74:21, 75:11,	99:13, 131:13,	262:25, 264:9,	26:22, 26:28, 27:4,	100:10, 100:16,
75:16, 84:18, 106:4,	282:6, 282:11	288:27, 292:14	27:8, 27:14, 27:21,	100:21, 100:24,
220:27, 240:12,	showed [1] - 92:8	situations [1] - 90:9	28:3, 32:15, 32:20,	100:28, 101:8,
263:13, 307:22	shows [1] - 245:23	six [23] - 21:23, 34:10,	33:7, 33:10, 33:15,	101:12, 101:17,
seventy-eight [1] -	shuttle [1] - 105:24	34:15, 41:17, 61:21,	33:18, 33:22, 34:2,	101:21, 103:5,
240:12	sic [6] - 153:28, 187:7,	65:15, 72:8, 73:21,	34:16, 34:21, 34:27,	103:9, 103:12,
seventy-five [3] -	284:7, 299:27,	73:27, 74:6, 87:9,	35:14, 35:19, 36:12,	103:15, 107:28,
35:13, 73:26, 84:18	300:6, 309:8	88:26, 170:18,	36:16, 36:19, 36:22,	108:3, 108:6,
seventy-nine [4] -	sic [1] - 72:8	171:11, 189:12,	36:25, 37:4, 37:16,	108:11, 108:14,
21:24, 73:22, 74:21,	sick [11] - 158:25,	190:3, 220:16,	37:23, 37:27, 38:14,	110:15, 110:20,
75:16	159:14, 160:6,	232:10, 238:8,	38:18, 38:22, 39:20,	110:24, 111:2,
seventy-one [1] -	161:27, 163:19,	238:19, 239:9,	39:26, 40:19, 40:23,	111:21, 111:25,
307:22	165:1, 168:19,	285:11, 287:8	40:27, 41:19, 41:23,	113:18, 113:22,
several [7] - 9:7,	169:12, 171:8,	sixteen [3] - 37:13,	43:6, 43:11, 43:18,	113:25, 113:28,
27:11, 65:17,	171:15, 171:26	37:15, 228:26	44:2, 44:7, 45:27,	114:7, 118:9,
113:13, 113:14,	side [8] - 19:21, 45:23,	sixties [1] - 263:14	47:1, 47:20, 47:28,	119:11, 119:18,

119:22, 119:26, 120:2, 120:5, 120:17, 121:6, 122:16, 122:19, 127:13, 127:19, 127:24, 128:1, 128:8, 128:24, 129:7, 129:13, 130:3, 130:7, 130:16, 130:21, 131:3, 131:6, 132:25, 133:2, 133:7, 133:15, 133:19, 133:23, 133:26, 134:28, 135:8, 135:12, 135:20, 135:23, 136:2, 136:5, 136:14, 136:22, 137:4, 137:20, 137:24, 138:2, 138:5, 138:9, 138:14, 139:5, 139:11, 139:14, 139:25, 140:1, 140:12, 140:15, 140:19, 140:22, 140:25, 141:4, 141:9, 141:15, 141:21, 141:24, 142:5, 142:9, 142:13, 142:22, 142:27, 143:3, 144:4, 144:8, 144:11, 144:14, 144:18, 144:28, 145:16, 145:21, 145:24, 146:21, 146:26, 147:13, 147:22, 148:14, 148:17, 148:21, 148:24, 148:28, 149:13, 149:16, 151:23, 152:14, 152:21, 152:27, 153:2, 153:5, 153:15, 154:1, 154:4, 155:8, 155:16, 155:19, 156:2, 156:6, 156:11, 156:14, 156:18, 156:22, 157:11, 157:14, 157:17, 157:21, 157:25, 158:1, 158:8, 158:26, 159:8, 164:2, 164:25, 165:14, 165:17, 165:25, 166:7, 166:11, 166:14, 166:17,	166:21, 166:26, 167:2, 167:5, 167:12, 167:17, 168:3, 170:19, 172:7, 172:13, 172:18, 173:4, 175:9, 178:18, 178:23, 178:26, 181:18, 181:21, 181:25, 182:1, 182:7, 182:10, 182:14, 182:21, 183:7, 184:15, 184:20, 185:10, 189:28, 190:7, 190:12, 190:16, 190:20, 190:26, 191:8, 191:11, 191:16, 191:19, 191:25, 191:28, 192:4, 192:8, 194:17, 194:21, 195:6, 195:21, 196:11, 196:15, 196:22, 197:11, 197:15, 197:28, 201:6, 202:23, 202:26, 203:11, 203:17, 204:13, 204:25, 205:5, 206:16, 208:6, 208:10, 208:16, 208:27, 209:8, 209:15, 209:19, 209:23, 210:12, 210:16, 210:20, 210:24, 211:11, 211:25, 212:15, 214:19, 214:22, 214:27, 215:6, 215:9, 215:13, 215:20, 215:23, 216:16, 216:21, 217:10, 217:15, 219:4, 219:13, 219:20, 221:9, 222:18, 223:3, 223:18, 223:23, 223:27, 224:4, 224:8, 224:26, 225:1, 225:18, 226:4, 226:25, 227:7, 227:21, 229:1, 229:8, 229:13, 229:16, 229:20, 229:24, 229:27, 230:3, 231:3, 231:10, 231:27, 232:12, 232:16, 233:4, 233:18, 234:4,	234:8, 234:18, 237:21, 237:25, 238:1, 238:11, 240:11, 240:15, 242:22, 243:15, 243:19, 243:22, 243:26, 244:1, 244:5, 244:9, 244:14, 244:20, 244:27, 245:3, 245:7, 245:12, 245:15, 245:18, 246:3, 246:12, 246:16, 254:12, 255:22, 256:2, 256:7, 262:21, 264:11, 264:21, 265:2, 266:21, 266:26, 270:20, 270:24, 270:27, 271:2, 271:5, 271:9, 271:12, 271:16, 271:19, 271:23, 271:28, 272:3, 272:6, 272:10, 272:13, 272:16, 272:22, 273:3, 273:7, 273:10, 273:13, 273:17, 273:21, 273:25, 274:3, 274:7, 274:11, 274:15, 274:19, 274:24, 274:27, 275:3, 276:10, 276:18, 276:22, 276:25, 277:1, 277:5, 277:9, 277:12, 277:15, 277:19, 277:23, 277:27, 278:6, 278:14, 278:20, 278:24, 278:27, 279:2, 279:6, 279:10, 279:13, 279:16, 280:5, 280:9, 280:12, 280:16, 280:20, 280:24, 280:27, 281:2, 281:6, 281:21, 282:1, 283:5, 286:14, 286:18, 286:23, 287:4, 287:19, 287:25, 287:28, 299:11, 301:11, 301:17, 301:20, 301:25, 305:6, 305:10, 305:18, 306:12, 306:16, 310:1, 310:5, 310:9, 310:13, 310:17,	312:23, 312:27, 313:3, 314:11, 315:10, 315:14, 315:20, 315:23, 315:27, 316:2, 316:5, 316:8 Skip [3] - 2:4, 211:13, 222:4 skip [1] - 227:20 Skip's [1] - 222:4 skipping [1] - 133:14 sky [1] - 233:24 slash [7] - 296:6, 296:10, 298:21, 299:16, 299:26, 300:5, 301:21 sleep [1] - 262:5 slides [1] - 47:10 sloping [1] - 49:19 slot [6] - 176:17, 198:28, 200:21, 259:17, 259:22, 289:27 slots [2] - 199:5, 252:27 slow [1] - 77:19 slowly [1] - 77:23 slurs [1] - 109:27 small [1] - 225:3 smaller [3] - 85:27, 224:27, 225:2 smoke [1] - 39:14 smooth [1] - 261:20 snapshot [1] - 313:5 snowbirds [1] - 74:27 soft [1] - 208:14 SOLAR [1] - 11:17 Solar [1] - 4:11 solar [1] - 11:20 solicit [5] - 22:25, 24:15, 29:9, 29:10, 30:14 solicitation [1] - 24:13 soliciting [1] - 29:19 SOLID [5] - 6:11, 18:19, 34:1, 81:11, 82:3 Solid [12] - 2:25, 5:8, 5:18, 6:12, 6:14, 18:22, 19:4, 34:6, 34:10, 42:21, 81:16, 185:20 solves [1] - 204:28 someone [6] - 107:19, 114:22, 177:14, 250:4, 253:18, 266:12 sometime [1] - 92:10 sometimes [12] - 42:23, 65:26, 75:24,	88:12, 90:11, 122:28, 192:27, 264:6, 295:25, 298:11, 298:12 somewhat [2] - 85:13, 88:7 somewhere [9] - 106:12, 161:26, 162:20, 174:16, 197:9, 222:2, 224:10, 295:5, 295:27 Sonnenschein [1] - 7:21 SONNENSCHHEIN [1] - 136:18 Sonoma [4] - 6:6, 43:15, 44:23, 46:13 SONOMA [1] - 43:10 soon [1] - 250:2 sooner [1] - 263:21 sorry [15] - 20:8, 58:6, 62:23, 154:6, 168:6, 168:12, 187:8, 195:8, 283:3, 296:9, 300:8, 300:9, 300:10, 313:2, 313:18 sort [2] - 23:3, 178:2 sound [1] - 268:19 sounded [1] - 102:5 sounding [1] - 273:24 sounds [10] - 23:20, 109:7, 211:26, 217:22, 235:1, 256:21, 268:20, 268:21, 283:24, 287:14 source [1] - 36:14 south [7] - 45:1, 45:22, 49:2, 79:13, 85:23, 85:27, 91:17 South [3] - 100:17, 102:15, 206:24 Southeast [1] - 288:23 southern [1] - 40:13 space [10] - 25:1, 25:14, 28:12, 28:18, 28:21, 29:2, 30:17, 31:8, 49:22, 56:15 Spanish [2] - 36:3, 82:11 spare [1] - 262:11 speaking [3] - 261:3, 263:25, 294:24 special [3] - 87:28, 139:26, 141:6 Specialist [2] - 2:26, 71:24 specialized [1] - 64:22
---	---	---	--	---

SPECIFICATION [1] - 60:28	179:5, 199:13, 211:10, 287:10	154:19, 160:21, 191:27, 193:9, 212:13, 300:4, 302:21	storage [1] - 91:19	314:22
Specification [1] - 7:15	Standard [1] - 73:8	154:19, 160:21, 191:27, 193:9, 212:13, 300:4, 302:21	stories [1] - 292:6	submit [2] - 86:11, 86:13
specification [1] - 61:4	standards [3] - 72:20, 73:16, 86:4	statutes [1] - 185:20	stove [1] - 103:22	submitted [1] - 220:10
specifications [1] - 61:9	standing [2] - 46:2, 70:28	stay [12] - 60:8, 63:2, 151:15, 180:1, 180:3, 189:2, 212:5, 263:12, 267:26, 268:25, 288:10, 295:2	stoves [1] - 103:20	success [1] - 117:21
spell [1] - 230:20	standpoint [4] - 57:15, 79:9, 141:28, 143:21	stayed [1] - 266:9	straight [2] - 225:24, 225:28	succession [1] - 249:22
spelled [1] - 228:21	Stapleton [5] - 6:7, 6:21, 52:25, 52:28, 87:8	staying [1] - 255:18	strategic [1] - 211:7	sudden [2] - 104:16, 111:7
speller [2] - 228:8, 228:13	STAPLETON [2] - 52:20, 87:5	stays [1] - 269:26	Strategic [1] - 73:18	suggest [7] - 108:21, 164:27, 167:21, 178:16, 213:22, 234:22, 315:8
spend [3] - 122:4, 268:8, 293:4	start [12] - 33:3, 112:20, 137:18, 158:9, 181:15, 201:2, 217:18, 218:6, 218:8, 219:28, 228:23, 294:1	stenotype [1] - 317:7	Stream [1] - 6:9	suggesting [1] - 118:5
spending [1] - 200:6	started [6] - 13:8, 53:5, 64:17, 101:13, 123:22, 145:2	step [13] - 73:15, 73:17, 107:25, 127:6, 175:18, 176:10, 248:2, 248:4, 261:10, 263:9, 263:15, 265:19, 312:3	STREAM [1] - 58:23	suggestion [1] - 213:1
spent [2] - 218:18, 289:18	starting [5] - 111:23, 154:8, 178:19, 179:22, 180:8	stepped [5] - 248:24, 248:25, 261:11, 264:13, 281:9	stream [1] - 58:28	suggestions [3] - 107:15, 172:22, 301:9
Sphinx [1] - 46:19	starts [2] - 47:6, 185:7	steps [1] - 311:25	Stream-Gaging [1] - 6:9	suggests [2] - 23:7, 26:5
spike [1] - 75:7	State [17] - 34:13, 94:1, 95:17, 95:18, 96:20, 97:13, 98:20, 120:9, 120:24, 159:25, 162:1, 187:17, 188:12, 220:12, 220:26, 265:24, 291:4	Steve [3] - 188:1, 189:8, 265:28	STREAM-GAGING [1] - 58:23	suicides [1] - 74:3
spins [1] - 308:10	STATE [1] - 317:3	stigma [1] - 232:21	stream-gauging [1] - 58:28	summer [3] - 27:18, 31:6, 93:28
split [4] - 169:13, 287:14, 293:23, 303:22	state [14] - 65:28, 73:14, 74:25, 177:28, 187:8, 193:19, 220:13, 223:24, 223:28, 224:12, 224:13, 291:10, 293:25, 300:3	still [28] - 56:9, 74:6, 86:4, 86:16, 98:20, 102:7, 105:11, 139:17, 140:3, 142:1, 142:17, 150:5, 170:13, 196:19, 210:25, 236:5, 236:17, 259:3, 259:12, 260:2, 268:25, 269:28, 286:11, 289:14, 290:10, 299:16, 299:17, 303:6	Street [1] - 1:14	Summerdale [1] - 109:17
sponsor [8] - 93:16, 94:28, 95:2, 97:20, 99:25, 99:27, 110:10, 115:28	statement [4] - 72:15, 266:9, 284:1, 293:22	stipulating [1] - 210:25	Street [1] - 1:14	superintendent [1] - 57:3
sponsored [2] - 94:27, 95:28	States [1] - 176:27	stipulations [2] - 210:2, 210:5	strength [1] - 250:5	Support [1] - 2:26
sponsors [2] - 93:17, 95:8	states [2] - 166:18, 250:10	Stockdale [3] - 96:4, 96:9, 98:7	strict [1] - 126:9	support [1] - 66:16
sponsorship [1] - 95:22	Station [1] - 6:9	Stockton [2] - 104:26, 117:2	strictly [2] - 223:4, 256:18	supposed [2] - 79:28, 174:9
spot [4] - 33:4, 208:14, 258:20, 266:14	STATION [1] - 58:23	Stonebridge [1] - 82:9	strips [2] - 80:11, 80:12	Supreme [1] - 87:20
spots [1] - 291:20	station [1] - 58:28	stood [4] - 107:19, 241:9, 264:17	strong [3] - 199:25, 295:8	surprise [4] - 160:10, 168:27, 171:21, 239:18
spreadsheet [5] - 72:27, 74:9, 245:23, 313:9, 314:9	statistic [1] - 75:3	STOP [1] - 80:15	structure [7] - 187:8, 187:12, 188:16, 253:21, 291:4, 294:7, 298:8	surprised [4] - 159:27, 164:11, 165:6
spring [2] - 39:7, 83:1	stats [1] - 72:26	stop [6] - 48:25, 80:4, 80:6, 243:13, 284:17, 285:14	structured [1] - 261:19	surrounded [2] - 91:16, 91:25
spun [1] - 273:16	statues [1] - 185:18	stops [2] - 79:13, 82:16	studying [1] - 79:6	surrounding [1] - 92:2
square [2] - 45:3, 71:26	statute [14] - 146:15, 146:19, 150:20, 151:4, 151:13, 153:22, 154:11,		stuff [34] - 23:8, 26:5, 39:14, 43:2, 89:15, 90:11, 94:12, 95:13, 96:10, 97:4, 102:5, 105:2, 106:11, 108:17, 112:5, 122:8, 143:7, 172:21, 188:17, 190:2, 194:23, 218:17, 218:18, 218:19, 220:19, 220:20, 226:19, 244:23, 251:17, 254:18, 264:6, 265:25	surveys [1] - 177:3
stability [2] - 66:8, 66:15			strips [2] - 80:11, 80:12	SUSAN [1] - 317:24
stabilized [1] - 66:6			strong [3] - 199:25, 295:8	Susan [1] - 1:15
stable [1] - 65:25			structure [7] - 187:8, 187:12, 188:16, 253:21, 291:4, 294:7, 298:8	switch [3] - 93:2, 93:5, 266:6
Staff [4] - 138:6, 138:8, 138:10, 302:11			structured [1] - 261:19	sworn [1] - 137:13
staff [13] - 37:10, 40:5, 66:7, 90:19, 91:28, 101:1, 101:4, 106:28, 107:26, 108:24, 109:25, 109:27, 242:26			studying [1] - 79:6	System [3] - 5:20, 153:19, 169:17
Stan [3] - 71:21, 72:2, 76:14			studies [1] - 79:6	SYSTEM [1] - 34:24
stand [5] - 140:9,			studies [1] - 79:6	system [25] - 35:2, 35:8, 67:4, 67:5, 114:21, 154:13, 159:25, 170:12, 171:5, 173:13, 175:25, 193:20, 193:21, 194:1, 196:28, 197:3, 197:5, 197:7, 205:20, 217:21, 249:11, 263:22,

299:21, 299:24, 299:25 System's [1] - 161:17 Systems [8] - 12:12, 12:20, 12:24, 13:11, 13:23, 146:12, 169:23	294:8, 316:6 ten-minute [2] - 144:15, 150:14 ten-year [3] - 45:8, 53:21, 53:24 Tensaw [2] - 95:26, 100:11 tenure [3] - 235:4, 296:20, 309:7 Teracom [1] - 144:10 teracom [2] - 144:12 term [9] - 25:11, 183:3, 184:11, 246:11, 284:21, 284:22, 284:26, 286:3 terminate [3] - 168:1, 168:14, 168:21 terminated [2] - 13:3, 13:8 terminating [1] - 12:13 termination [3] - 12:12, 12:18, 158:20 terms [8] - 11:8, 53:24, 142:20, 142:26, 177:27, 252:18, 312:9, 312:19 Terri [3] - 2:24, 185:19, 234:11 TERRI [11] - 20:2, 81:19, 81:22, 82:5, 82:15, 82:21, 82:27, 83:6, 237:20, 239:4, 246:24 Terri's [3] - 185:15, 237:15, 263:24 terrible [1] - 228:8 terrified [1] - 264:5 texted [2] - 296:5, 297:20 thankful [1] - 64:15 that'd [2] - 148:2, 249:8 that'll [5] - 92:13, 127:9, 180:21, 184:16, 302:27 THE [34] - 1:2, 8:13, 10:7, 11:1, 11:18, 12:6, 14:11, 14:28, 15:17, 16:13, 17:3, 17:23, 18:9, 18:19, 20:11, 20:27, 21:15, 22:17, 22:18, 33:28, 34:25, 34:26, 35:22, 35:23, 82:2, 82:3, 82:4, 132:24, 135:4, 136:17, 136:18, 138:18	theirs [2] - 185:21, 305:12 there'll [2] - 46:15, 50:16 therefore [2] - 188:24, 189:2 They've [1] - 96:7 they've [21] - 13:18, 37:14, 49:25, 53:5, 57:20, 77:24, 96:8, 108:12, 112:7, 118:14, 123:10, 130:12, 130:17, 130:18, 143:9, 160:14, 161:24, 163:16, 235:6, 275:18 thinking [12] - 42:2, 48:19, 116:14, 183:11, 184:10, 192:15, 252:13, 252:17, 304:4, 304:6, 307:25 thinks [1] - 189:1 third [1] - 248:27 thirteen [3] - 45:2, 134:11, 234:19 thirty [24] - 12:11, 15:28, 28:1, 28:10, 32:2, 34:10, 36:9, 37:20, 54:5, 65:12, 65:13, 66:13, 73:23, 74:1, 74:2, 81:24, 83:21, 84:7, 84:21, 165:23, 238:8, 238:19, 264:26 thirty-eight [1] - 74:2 thirty-five [6] - 37:20, 65:13, 66:13, 83:21, 84:7, 84:21 thirty-nine [3] - 36:9, 74:1, 81:24 thirty-one [2] - 238:8, 238:19 thirty-seven [1] - 73:23 thirty-six [1] - 34:10 this'll [2] - 56:5, 71:4 Thompson [4] - 243:20, 248:10, 265:27, 295:6 thoroughly [1] - 41:11 thoughts [4] - 104:4, 104:8, 123:15, 202:12 thousand [35] - 11:25, 11:26, 15:27, 21:24, 28:1, 28:11, 32:2, 35:11, 36:4, 36:9, 37:19, 42:27, 61:21,	71:26, 71:28, 75:2, 75:9, 75:10, 83:21, 84:7, 84:18, 134:11, 174:17, 174:24, 175:1, 175:4, 178:11, 197:12, 197:13, 197:16, 220:28, 235:5, 235:8, 236:6, 267:18 threatened [1] - 46:5 three [64] - 9:18, 11:25, 13:17, 13:22, 35:11, 35:12, 42:27, 45:6, 46:4, 51:27, 61:22, 65:27, 66:14, 72:2, 72:7, 72:9, 73:6, 73:26, 74:5, 74:24, 75:17, 76:19, 77:22, 79:7, 79:25, 80:1, 85:26, 86:4, 88:25, 99:24, 150:3, 159:6, 159:15, 160:6, 161:25, 163:20, 171:9, 171:10, 171:12, 182:4, 190:8, 197:10, 197:12, 197:16, 198:17, 212:14, 222:7, 231:28, 235:26, 236:2, 237:12, 239:20, 240:5, 242:19, 252:9, 256:22, 256:25, 269:21, 284:17, 284:19, 291:20, 306:15, 306:20, 307:18 three-forth's [2] - 269:21, 284:17 three-fourths [2] - 212:14, 242:19 three-point-one [1] - 45:6 threw [2] - 222:10, 225:6 thrive [3] - 93:13, 93:19, 107:24 throughout [2] - 235:4, 264:25 throw [5] - 217:1, 229:7, 238:3, 238:12, 239:19 throwing [10] - 30:23, 147:16, 201:3, 208:19, 216:3, 222:14, 223:11, 234:23, 236:15, 298:28 thrown [2] - 109:27,	254:18 thumbs [1] - 233:26 thumbs-up [1] - 233:26 Tier [1] - 169:7 timeframe [5] - 39:6, 39:9, 85:17, 85:18, 284:14 timeline [4] - 141:20, 143:6, 149:21, 149:24 timely [3] - 73:2, 288:24, 289:23 timingwise [1] - 38:24 tired [3] - 288:4, 288:7, 314:15 tissue [1] - 76:7 Title [1] - 153:18 title [7] - 53:15, 247:8, 248:14, 295:15, 299:22, 299:28, 302:21 titles [2] - 249:21, 299:23 TO [6] - 39:25, 43:9, 43:10, 52:20, 64:6, 144:26 today [31] - 8:25, 43:28, 58:12, 64:24, 83:16, 102:2, 115:25, 116:7, 123:7, 128:13, 149:18, 150:4, 150:6, 202:10, 202:24, 203:14, 212:26, 213:12, 213:25, 226:12, 254:19, 267:24, 268:15, 268:22, 275:13, 275:19, 275:22, 283:21, 289:8, 294:24, 297:21 today's [1] - 204:3 together [16] - 26:4, 64:19, 65:28, 83:2, 110:12, 113:15, 115:12, 123:15, 203:21, 209:14, 211:2, 213:6, 250:3, 250:8, 251:15, 255:20 tomorrow [5] - 82:28, 128:16, 247:1, 247:13, 247:16 tons [1] - 241:17 took [5] - 45:14, 74:20, 95:12, 233:17, 262:17 top [4] - 24:9, 41:18,
T				
t's [1] - 61:28 T-E-R-R-I [1] - 237:17 table [4] - 157:9, 192:17, 285:21, 298:1 tabled [2] - 85:13, 208:5 talent [1] - 265:6 talks [3] - 30:12, 171:14, 303:1 tasked [1] - 287:9 tax [2] - 25:19, 25:23 tax-exempt [1] - 25:23 taxable [1] - 25:19 Taylor [3] - 12:12, 12:24, 13:23 team [3] - 287:2, 309:19, 309:24 tear [1] - 23:7 tears [1] - 51:21 Tech [3] - 134:14, 134:17, 134:19 technically [2] - 227:5, 295:18 Technician [2] - 134:9 technology [1] - 230:8 teenagers [1] - 106:15 TELECOMMUNICATI ON [1] - 10:28 Telecommunication [1] - 4:9 telecommunication [1] - 11:5 temporary [2] - 50:21, 51:21 ten [31] - 45:8, 53:21, 53:24, 106:13, 144:15, 146:15, 146:20, 146:22, 146:23, 150:14, 152:11, 152:24, 154:22, 154:24, 165:22, 177:28, 178:10, 187:18, 188:28, 189:5, 192:20, 193:11, 219:5, 219:22, 229:2, 234:13, 235:5, 292:15,				

167:26, 253:3 topic [1] - 172:20 to [1] - 89:6 total [4] - 37:19, 38:4, 66:7, 252:14 totally [2] - 30:9, 147:25 touch [3] - 129:18, 197:19, 197:22 tough [1] - 195:25 toward [1] - 59:9 towards [4] - 46:3, 82:11, 188:7, 203:27 Town [2] - 6:14, 82:7 TOWN [1] - 82:4 town [1] - 106:13 traffic [2] - 50:22, 81:3 trained [1] - 72:19 training [2] - 108:26, 296:15 Trane [2] - 35:6, 35:7 transcribed [1] - 317:8 transcript [2] - 317:7, 317:10 transcription [1] - 317:9 transfer [2] - 42:21, 193:28 transferred [1] - 193:21 TRANSPARENTING [1] - 136:8 Transparenting [1] - 7:12 transparenting [1] - 136:10 transport [1] - 75:13 transportation [6] - 75:5, 75:7, 75:17, 109:22, 114:21, 115:17 transporting [1] - 75:11 transports [1] - 75:16 travel [2] - 106:7, 182:5 Treasurer [1] - 248:5 treat [2] - 192:28 treated [1] - 180:3 trees [1] - 49:25 Trey [1] - 46:28 tried [7] - 106:28, 111:20, 111:22, 112:7, 209:4, 229:25, 272:24 tries [1] - 288:28 triggered [1] - 170:16 troops [1] - 38:28 trouble [2] - 106:9, 228:18	Troy [1] - 71:22 truck [3] - 42:12, 42:25, 61:3 TRUCK [1] - 60:27 Truck [1] - 7:15 trucks [5] - 9:1, 48:20, 50:23 true [5] - 214:2, 226:17, 268:3, 268:7, 317:9 trust [1] - 72:24 truth [4] - 19:9, 93:10, 110:3, 280:3 try [18] - 10:15, 37:21, 76:8, 76:14, 114:5, 116:3, 117:5, 118:13, 121:12, 123:11, 128:18, 154:28, 227:10, 227:19, 231:19, 268:22, 299:5 trying [40] - 8:27, 9:22, 26:10, 26:12, 47:5, 47:14, 60:7, 63:13, 110:7, 111:9, 123:5, 140:4, 142:10, 142:11, 178:2, 178:14, 180:4, 188:7, 189:19, 189:20, 196:13, 206:1, 223:11, 243:11, 249:4, 250:1, 252:4, 254:16, 256:22, 288:22, 288:25, 294:13, 296:22, 301:9, 304:7, 305:21, 305:22, 305:25 TTB [1] - 17:11 Tuerk [1] - 65:15 Tuesday [9] - 1:5, 8:5, 16:7, 86:7, 113:13, 127:12, 254:21, 255:28, 261:20 Tuesday's [1] - 85:17 turbidity [2] - 48:27, 49:9 turn [2] - 112:26, 231:2 turned [2] - 42:19, 232:17 turning [2] - 116:10, 218:13 turnover [3] - 66:27, 67:2, 67:3 twelve [25] - 10:20, 11:8, 36:9, 37:19, 71:28, 76:3, 79:24, 218:28, 230:10,	234:19, 234:20, 236:2, 236:5, 237:22, 237:24, 238:8, 238:10, 238:15, 238:19, 239:3, 239:5, 239:6, 264:26, 313:28 twenty [79] - 12:23, 13:22, 36:5, 37:14, 54:5, 65:1, 66:7, 71:25, 72:6, 75:9, 82:16, 99:15, 99:18, 99:22, 99:23, 106:15, 125:3, 159:11, 159:15, 159:24, 160:6, 161:24, 162:3, 162:4, 162:26, 163:1, 163:17, 164:5, 165:22, 165:23, 169:7, 169:24, 170:7, 170:11, 170:22, 182:4, 220:16, 220:17, 221:3, 221:4, 228:24, 228:27, 229:9, 229:23, 230:2, 230:13, 230:26, 231:5, 231:7, 231:9, 231:11, 231:12, 232:10, 235:8, 237:2, 239:20, 240:5, 240:8, 240:10, 240:12, 240:14, 240:16, 240:23, 256:16, 267:17, 283:9, 283:15, 286:15, 304:21, 305:17, 306:13, 306:22, 313:21, 314:2, 314:6 twenty-eight [3] - 36:5, 220:17, 240:16 twenty-five [29] - 65:1, 66:7, 82:16, 99:15, 99:18, 99:22, 99:23, 125:3, 159:11, 159:24, 161:24, 162:3, 162:4, 162:26, 163:17, 164:5, 169:7, 169:24, 170:7, 170:11, 221:3, 221:4, 228:24, 229:9, 229:23, 230:2, 230:13, 314:2 twenty-four [4] - 12:23, 71:25, 72:6, 256:16	twenty-one [11] - 240:8, 240:23, 283:9, 283:15, 286:15, 304:21, 305:17, 306:13, 306:22, 314:6 twenty-seven [1] - 170:22 twenty-six [2] - 220:16, 232:10 twenty-three [3] - 182:4, 239:20, 240:5 twenty-two [4] - 37:14, 240:12, 240:14, 256:16 twice [1] - 165:16 two [153] - 9:1, 9:11, 9:13, 9:18, 10:16, 11:26, 21:24, 37:14, 40:5, 40:13, 45:3, 50:28, 51:27, 61:22, 64:28, 66:11, 66:21, 71:26, 71:28, 74:16, 74:20, 76:14, 76:20, 80:6, 82:15, 86:3, 86:9, 93:5, 101:25, 128:6, 129:5, 146:17, 153:27, 154:18, 154:21, 155:10, 157:3, 161:6, 162:6, 162:23, 168:14, 168:27, 171:12, 174:27, 176:15, 178:15, 186:4, 190:1, 199:5, 199:7, 199:11, 199:28, 200:18, 200:26, 201:27, 203:5, 203:22, 205:1, 209:14, 210:19, 210:21, 211:3, 211:9, 212:6, 218:25, 220:18, 220:21, 220:24, 222:9, 224:21, 232:15, 232:17, 233:9, 234:5, 234:15, 234:24, 237:18, 238:14, 239:8, 239:9, 240:12, 240:14, 242:18, 251:12, 252:9, 252:27, 253:13, 253:14, 253:28, 254:27, 254:28, 255:19, 255:20, 256:11, 256:16, 258:25, 259:2, 270:22,	270:23, 278:1, 279:19, 279:21, 280:1, 284:18, 285:15, 285:22, 285:23, 285:24, 287:14, 288:21, 288:25, 289:2, 289:17, 289:26, 290:14, 290:15, 291:20, 293:8, 294:10, 296:28, 297:24, 299:3, 299:4, 299:8, 299:20, 299:23, 300:2, 300:27, 304:27, 306:5, 306:6, 306:8, 306:10, 308:1, 309:9, 309:20, 311:14, 311:25, 312:13, 315:13 two-door [1] - 9:1 two-to-two [3] - 242:18, 284:18, 311:14 two-two [2] - 212:6, 285:15 two-way [1] - 80:6 type [7] - 102:23, 121:18, 134:14, 143:16, 193:5, 221:17, 250:27 typically [2] - 73:3, 75:22
U				
U.S [1] - 35:9 ultimate [2] - 155:6, 164:21 ultimately [3] - 242:13, 242:20, 301:10 unattended [1] - 72:12 unaware [2] - 188:2, 188:3 Uncollectible [1] - 6:12 UNCOLLECTIBLE [1] - 81:11 uncollectible [1] - 81:23 uncomplicated [1] - 73:5 under [36] - 26:26, 33:6, 33:12, 51:21, 53:28, 63:1, 65:10, 69:8, 87:27, 99:22, 100:18, 105:21, 142:25, 146:14,				

150:3, 169:17, 170:7, 173:28, 185:18, 185:20, 196:10, 208:19, 212:1, 222:14, 237:3, 242:26, 245:21, 250:11, 252:11, 253:20, 254:21, 255:7, 293:16, 295:10, 299:1, 309:28 underneath [8] - 51:9, 51:10, 188:17, 189:22, 196:5, 196:7, 246:21, 291:15 understood [5] - 142:26, 157:6, 207:14, 233:3, 257:26 UNDERWOOD [538] - 10:1, 10:26, 11:14, 11:28, 14:25, 15:12, 16:10, 16:28, 17:17, 17:20, 18:6, 19:6, 19:11, 19:16, 19:20, 19:24, 20:1, 20:14, 20:21, 21:12, 27:16, 27:28, 28:5, 28:14, 28:22, 28:25, 29:1, 29:5, 29:8, 29:21, 29:24, 30:2, 30:6, 30:9, 30:18, 30:26, 31:1, 31:5, 31:9, 31:12, 31:16, 31:20, 31:23, 31:26, 32:10, 32:13, 32:17, 32:25, 33:13, 33:17, 33:24, 34:18, 35:17, 36:18, 40:22, 41:16, 41:22, 47:23, 54:28, 56:5, 56:8, 56:13, 56:22, 56:27, 58:15, 58:19, 59:14, 60:6, 61:19, 62:1, 62:13, 63:4, 64:1, 67:24, 67:28, 68:4, 68:9, 68:12, 68:22, 69:1, 69:6, 69:10, 69:15, 69:17, 69:20, 69:22, 69:27, 70:4, 70:15, 70:20, 70:27, 71:5, 71:8, 77:8, 78:10, 78:16, 80:22, 80:24, 81:26, 82:12, 83:10, 84:1, 86:24, 88:8, 88:11, 88:17, 88:22, 88:25, 89:1, 89:5, 89:9, 89:14, 89:22, 89:25, 90:2, 90:6, 90:13, 92:17, 98:6, 98:12,	103:28, 104:10, 105:6, 105:14, 119:16, 120:1, 120:4, 121:8, 121:12, 121:15, 121:22, 122:21, 122:24, 123:17, 123:20, 123:25, 124:1, 124:4, 124:10, 124:13, 124:18, 124:21, 124:25, 124:28, 125:5, 125:9, 125:11, 125:15, 126:15, 127:11, 127:16, 127:28, 128:3, 128:6, 128:10, 128:14, 128:17, 128:21, 128:27, 129:4, 129:9, 129:15, 129:19, 130:28, 131:20, 132:28, 133:4, 133:11, 133:13, 133:17, 133:21, 133:28, 134:26, 135:2, 135:22, 135:28, 136:13, 136:24, 136:28, 137:7, 137:22, 137:26, 138:4, 138:12, 138:28, 139:3, 139:7, 139:23, 141:8, 141:12, 142:3, 142:7, 142:11, 142:15, 142:19, 142:24, 143:1, 144:13, 145:14, 145:19, 145:28, 148:26, 150:18, 150:23, 150:26, 151:5, 151:8, 151:12, 151:17, 155:14, 155:25, 156:8, 156:13, 162:16, 162:19, 162:22, 162:27, 163:2, 164:18, 165:19, 166:9, 168:9, 168:23, 169:1, 169:3, 172:24, 172:28, 173:26, 174:6, 175:13, 176:22, 176:26, 177:2, 177:11, 177:17, 177:23, 178:4, 179:9, 180:23, 180:28, 181:8, 181:17,	181:24, 181:27, 182:3, 185:24, 185:27, 186:3, 186:7, 186:12, 186:16, 186:23, 186:27, 187:11, 188:27, 189:14, 190:5, 190:14, 190:18, 190:24, 190:28, 191:4, 191:23, 192:10, 194:4, 194:9, 195:4, 195:28, 196:13, 196:17, 196:26, 197:19, 197:23, 197:26, 198:5, 198:14, 198:16, 199:14, 199:20, 201:13, 201:17, 201:22, 201:28, 202:3, 202:7, 202:13, 202:16, 202:20, 202:25, 202:28, 203:7, 203:15, 203:23, 204:5, 204:7, 204:12, 204:15, 204:19, 204:23, 205:3, 205:7, 205:11, 205:26, 206:4, 206:8, 206:11, 206:20, 206:22, 207:1, 207:4, 207:6, 207:10, 209:6, 209:10, 212:7, 212:20, 212:24, 213:28, 214:5, 214:9, 214:12, 214:24, 214:26, 215:1, 215:4, 215:12, 215:27, 217:8, 217:19, 217:25, 218:2, 218:4, 218:8, 219:2, 219:7, 219:11, 220:1, 220:5, 222:8, 222:15, 222:20, 222:23, 222:26, 223:1, 223:5, 223:13, 223:21, 223:25, 224:14, 224:18, 224:23, 225:4, 225:16, 225:21, 225:25, 226:9, 226:13, 226:18, 226:21, 226:28, 227:17, 227:23, 228:7, 228:20, 228:27, 229:15, 229:18,	229:22, 230:1, 230:5, 231:1, 231:6, 231:14, 231:25, 232:1, 232:23, 232:27, 233:2, 233:15, 234:16, 234:26, 235:16, 235:27, 236:7, 236:10, 237:6, 237:27, 238:5, 238:9, 238:16, 238:22, 238:26, 239:6, 240:9, 240:18, 243:10, 243:17, 243:21, 243:24, 243:28, 244:3, 244:7, 244:18, 244:26, 245:1, 245:5, 245:22, 246:8, 246:14, 246:18, 246:25, 246:28, 247:7, 247:10, 247:17, 247:21, 247:24, 247:27, 248:12, 248:17, 248:21, 249:2, 249:12, 249:15, 249:24, 249:28, 250:24, 250:28, 251:24, 252:2, 252:25, 253:4, 253:10, 253:17, 253:23, 253:26, 254:2, 254:5, 254:10, 254:15, 254:22, 255:3, 255:12, 255:16, 255:24, 256:5, 256:19, 258:28, 259:7, 259:11, 259:20, 259:23, 259:26, 260:1, 260:5, 260:10, 260:13, 260:18, 266:8, 266:16, 266:23, 266:28, 267:7, 267:10, 267:13, 267:16, 267:21, 267:26, 268:2, 268:4, 268:18, 268:24, 268:28, 269:8, 269:11, 269:16, 269:19, 269:22, 269:24, 269:28, 270:5, 270:8, 283:3, 283:8, 283:14, 283:18, 285:5, 285:28, 286:4, 287:13, 287:23,	287:27, 288:2, 288:8, 288:12, 288:19, 289:5, 289:12, 289:24, 290:1, 290:22, 290:26, 291:2, 291:8, 291:12, 291:17, 291:22, 291:26, 292:1, 292:3, 292:19, 292:22, 292:26, 293:1, 293:9, 293:13, 293:20, 294:14, 294:17, 296:24, 296:28, 297:8, 299:7, 301:23, 305:8, 306:14, 306:18, 306:27, 307:15, 307:17, 308:6, 308:18, 308:24, 308:28, 309:10, 310:21, 316:4, 316:7 Underwood [9] - 2:5, 8:8, 208:22, 218:14, 279:26, 281:8, 282:21, 282:28, 285:3 undetermined [1] - 74:5 uneaten [1] - 94:24 unexplained [1] - 72:12 unfair [1] - 187:23 unfortunate [1] - 109:9 unfortunately [1] - 247:19 unhappy [1] - 137:10 unidentified [1] - 75:28 unique [1] - 220:5 unison [2] - 153:1, 316:1 United [1] - 176:27 University [2] - 24:22 unless [7] - 185:22, 213:20, 216:12, 256:27, 269:7, 269:14 unlike [2] - 187:8, 261:16 unnecessary [1] - 279:23 unpaid [2] - 68:10, 169:12 up [168] - 8:21, 28:8, 28:18, 30:17, 31:27, 37:6, 37:21, 40:16, 44:20, 45:28, 46:25,
--	--	--	--	--

47:6, 47:7, 48:4, 48:26, 49:13, 55:11, 70:16, 75:9, 77:2, 77:16, 79:18, 80:7, 80:15, 80:17, 82:8, 92:8, 94:11, 94:24, 95:26, 95:28, 96:5, 96:6, 96:14, 99:13, 101:5, 102:23, 103:24, 106:8, 107:19, 107:20, 107:27, 108:18, 109:21, 109:25, 110:25, 111:5, 111:13, 112:14, 112:21, 121:2, 125:21, 127:9, 131:12, 131:13, 132:9, 134:24, 135:27, 137:17, 141:7, 146:17, 147:6, 148:2, 149:18, 149:20, 149:25, 155:6, 155:26, 158:13, 159:14, 159:23, 159:27, 162:5, 163:4, 163:19, 164:11, 165:7, 166:2, 166:8, 167:8, 168:5, 168:7, 168:26, 171:21, 173:13, 175:20, 176:8, 181:13, 183:3, 183:26, 184:2, 184:9, 186:26, 186:28, 193:26, 196:28, 198:28, 202:21, 203:5, 204:27, 205:8, 211:8, 211:14, 213:19, 213:27, 214:7, 216:12, 216:20, 219:27, 219:28, 220:8, 220:11, 220:22, 220:27, 221:16, 222:2, 222:3, 222:17, 224:9, 224:12, 224:17, 224:19, 227:20, 228:6, 228:17, 229:7, 230:7, 233:26, 235:3, 235:15, 237:5, 237:11, 237:13, 239:11, 241:9, 241:13, 242:1, 247:1, 247:13, 250:11, 256:8, 256:9,	259:17, 259:27, 261:10, 261:11, 262:4, 264:5, 264:6, 264:17, 264:19, 265:19, 268:17, 270:19, 276:6, 279:23, 286:7, 289:13, 290:18, 292:21, 294:8, 306:6, 307:20, 309:7, 311:9, 311:16 update [4] - 63:18, 63:20, 141:28, 191:5 upfront [1] - 219:15 upgrade [2] - 105:1, 122:25 upgrading [1] - 104:2 ups [1] - 218:17 upset [3] - 112:19, 112:20, 137:15 Upstairs [1] - 5:23 UPSTAIRS [1] - 35:23 upstairs [1] - 35:27 upstream [1] - 46:27 USA [2] - 34:8, 35:6 USE [1] - 136:17 uses [2] - 56:6, 56:9 Utilities [1] - 7:10 UTILITIES [1] - 135:4 utilities [1] - 135:14 utility [1] - 135:17 utilize [6] - 24:23, 25:3, 28:18, 41:27, 42:4, 296:22 utilizes [1] - 28:20	Vehicle [2] - 5:4, 5:6 Vehicles [1] - 4:4 VEHICLES [1] - 8:13 vehicles [5] - 8:21, 8:27, 9:2, 52:3, 61:22 venture [1] - 65:5 verbal [1] - 227:2 verbiage [3] - 193:5, 203:25, 302:1 versus [1] - 294:26 vested [2] - 164:13, 164:21 VIA [1] - 3:17 video [3] - 108:8, 108:10, 108:12 VIDEOCONFERENC E [1] - 3:17 view [1] - 234:22 viewpoint [2] - 267:5, 267:6 Vince [5] - 2:16, 85:3, 90:14, 92:22, 92:23 VINCE [24] - 85:4, 85:7, 85:22, 86:17, 87:8, 88:10, 88:15, 88:20, 88:24, 88:28, 89:3, 89:7, 89:12, 89:20, 89:24, 89:28, 90:5, 90:12, 90:15, 90:18, 90:27, 91:4, 92:20, 92:24 Vinson [2] - 71:22, 72:2 violating [1] - 24:18 violation [1] - 262:6 violent [2] - 72:12, 74:1 virtually [1] - 25:2 visiting [1] - 74:28 visitors [1] - 72:1 voice [3] - 66:9, 272:21, 272:23 void [1] - 312:5 voluntarily [1] - 205:20 volunteer [1] - 69:25 Volunteers [1] - 64:27 vote [41] - 85:18, 87:23, 203:3, 207:17, 209:22, 212:2, 212:14, 213:8, 213:19, 213:20, 226:3, 226:5, 227:6, 257:22, 257:28, 268:7, 269:23, 270:16, 272:4, 272:7, 272:11, 276:12, 276:13,	276:19, 280:4, 281:16, 281:18, 284:17, 303:22, 309:27, 310:16, 310:26, 310:28, 311:4, 311:6, 311:10, 311:11, 311:24, 315:17 voted [6] - 29:19, 86:8, 137:5, 186:18, 227:15, 256:13 voters [1] - 287:10 votes [3] - 241:23, 256:22, 256:25 voting [4] - 199:25, 226:8, 268:13, 276:3 Vulcan [1] - 16:21	112:14, 114:22, 134:12, 194:10, 217:17, 240:2, 260:21, 261:4 warrant [3] - 26:13, 26:24, 263:20 warrants [2] - 25:19, 267:17 Warriner [1] - 10:20 Washington [3] - 65:9, 66:13, 70:10 WASTE [5] - 6:11, 18:19, 34:1, 81:11, 82:3 Waste [12] - 2:25, 5:8, 5:18, 6:12, 6:14, 18:22, 19:4, 34:6, 34:10, 42:21, 81:16, 185:20 waste [1] - 288:17 wasted [1] - 275:18 watching [1] - 133:28 water [9] - 46:4, 46:6, 48:24, 48:28, 49:1, 49:12, 49:18, 49:21, 51:9 Waterway [1] - 7:7 WATERWAY [1] - 139:9 waterway [1] - 139:16 WAYS [1] - 10:7 Ways [1] - 4:7 ways [4] - 10:18, 27:11, 179:19, 300:3 wayside [1] - 200:8 weakness [2] - 172:10, 262:9 weaknesses [1] - 76:25 wear [2] - 211:10, 280:1 wearing [4] - 42:28, 201:27, 211:9, 235:10 website [2] - 173:27, 175:17 week [10] - 38:26, 38:27, 39:4, 72:7, 73:5, 76:19, 76:20, 77:5, 224:21 week's [1] - 267:24 weekend [2] - 75:1, 218:19 weekends [2] - 75:4, 137:19 weekly [1] - 11:24 weeks [6] - 65:15, 128:4, 128:6, 129:5, 130:27, 168:14 welcome [2] - 8:4,
	V		W	
	vacation [6] - 158:21, 160:13, 163:16, 165:1, 168:19, 171:26 vain [1] - 275:13 value [1] - 143:20 Vanna [1] - 217:27 variances [1] - 86:1 various [3] - 17:13, 265:14, 265:24 Vaughn [12] - 6:24, 93:8, 93:12, 93:19, 93:25, 95:6, 95:7, 97:22, 103:27, 106:23, 107:9, 131:12 VAUGHN [1] - 92:26 VEHICLE [2] - 17:22, 18:8 vehicle [4] - 9:3, 17:27, 18:11, 61:26	wait [7] - 63:13, 157:24, 158:3, 281:9, 282:14, 282:20, 305:20 waiting [3] - 73:6, 205:1, 283:13 waiver [7] - 64:25, 65:2, 119:16, 119:19, 120:1, 120:4, 121:18 wake [2] - 247:1, 247:13 walk [1] - 105:21 walked [3] - 28:8, 137:13, 137:17 walking [2] - 106:9, 114:13 WALT [2] - 8:24, 10:4 Walt [4] - 2:18, 8:21, 8:23, 10:3 WANDA [43] - 10:12, 10:15, 11:4, 11:19, 12:7, 13:3, 13:7, 13:13, 13:17, 13:21, 13:27, 14:2, 14:5, 14:15, 15:4, 15:21, 16:7, 16:16, 17:6, 17:26, 18:10, 18:20, 20:15, 21:1, 21:19, 22:21, 31:25, 31:28, 32:4, 32:8, 32:12, 32:19, 32:22, 33:1, 33:5, 33:9, 33:12, 34:4, 35:1, 35:25, 36:14, 36:24, 36:27 Wanda [7] - 3:18, 10:10, 10:11, 30:13, 32:28, 33:2, 61:14 wants [9] - 44:12,		

60:8 well-run [1] - 264:19 west [1] - 91:20 WEST [1] - 21:15 West [2] - 5:14, 21:21 WG17-03A [1] - 10:17 WG17-08 [1] - 11:5 WG18-43A [1] - 11:20 WG19-01 [1] - 12:8 WG19-03 [1] - 14:16 WG19-05 [1] - 15:5 WG19-06 [1] - 15:22 WG19-11 [1] - 16:17 WG19-12 [1] - 17:7 WG19-17 [1] - 17:27 WG19-18 [1] - 18:11 WG19-19 [1] - 18:21 WG19-20 [1] - 20:16 WG19-21 [1] - 21:2 where'd [1] - 132:26 whichever [2] - 184:2, 265:11 White [1] - 217:27 whiteboard [4] - 216:19, 217:5, 217:9, 217:16 whole [23] - 14:5, 23:24, 23:28, 24:2, 24:5, 24:9, 53:1, 65:28, 77:3, 84:19, 88:23, 148:3, 224:1, 225:2, 245:9, 250:8, 288:17, 291:9, 291:27, 307:2, 309:22, 310:19 widening [1] - 49:19 Williams [5] - 3:11, 113:27, 114:1, 129:17, 248:18 WILLIAMS [137] - 93:24, 94:3, 94:8, 94:13, 94:16, 94:20, 94:25, 95:4, 95:9, 95:14, 95:19, 96:1, 96:11, 96:22, 96:27, 97:17, 98:1, 98:17, 98:19, 98:23, 98:27, 99:6, 99:9, 100:2, 100:6, 100:14, 100:20, 100:23, 100:26, 101:7, 101:10, 102:19, 104:3, 104:12, 105:7, 105:16, 105:20, 105:27, 106:3, 106:6, 106:21, 106:24, 107:3, 107:7, 107:10, 108:2, 108:5, 108:13,	108:16, 109:12, 110:4, 110:13, 110:19, 110:23, 111:16, 112:4, 112:8, 112:25, 113:2, 113:17, 114:12, 114:24, 114:27, 115:4, 115:6, 115:10, 115:14, 115:20, 115:23, 116:1, 116:5, 116:8, 116:22, 116:25, 116:28, 117:15, 117:19, 117:22, 117:27, 118:1, 118:25, 119:1, 119:5, 121:1, 121:26, 122:2, 122:5, 122:11, 123:13, 123:18, 123:21, 123:27, 124:3, 124:8, 124:11, 124:14, 124:19, 124:23, 124:27, 125:7, 125:10, 125:18, 125:26, 126:3, 126:5, 126:7, 126:10, 126:13, 126:24, 126:28, 127:2, 127:5, 128:5, 128:12, 128:16, 128:20, 128:26, 128:28, 129:6, 129:22, 129:25, 129:27, 130:2, 130:6, 130:20, 130:26, 131:1, 131:5, 131:9, 131:16, 131:22, 131:25, 131:28, 132:4, 132:7, 132:10, 132:17 willing [11] - 54:19, 101:4, 113:10, 116:13, 118:20, 125:1, 131:11, 213:11, 223:14, 298:20, 305:16 wind [1] - 111:5 woke [1] - 262:4 woman [2] - 112:21, 286:13 wondered [1] - 217:13 wonderful [5] - 68:22, 107:9, 107:24, 203:10, 261:18 WOOD [2] - 40:26, 82:26	Wood [6] - 6:4, 7:17, 41:2, 41:4, 41:12, 82:28 wooded [3] - 46:23, 49:22, 49:24 word [14] - 23:19, 25:5, 32:12, 38:4, 38:8, 64:23, 146:7, 187:25, 187:27, 187:28, 188:20, 189:10, 193:9, 296:6 wording [1] - 23:17 words [3] - 171:26, 221:24, 250:6 works [12] - 41:12, 67:5, 116:27, 196:21, 219:10, 226:14, 227:4, 227:14, 261:19, 291:25, 294:15, 303:20 workshop [3] - 131:8, 254:19, 268:9 world [1] - 230:8 worried [4] - 163:24, 269:3, 293:25, 293:26 worse [2] - 49:11, 297:20 worsen [1] - 48:28 worth [1] - 297:21 wrap [1] - 306:28 wrinkle [1] - 285:25 write [7] - 216:15, 218:17, 237:14, 241:13, 286:17, 307:20, 309:1 write-up [2] - 241:13, 307:20 write-ups [1] - 218:17 writing [1] - 73:9 written [2] - 12:11, 54:4 wrote [2] - 216:17, 262:27	74:9, 75:6, 77:12, 78:1, 80:19, 83:26, 92:20, 95:2, 95:8, 99:5, 99:8, 99:27, 100:17, 101:2, 101:5, 101:13, 111:15, 113:1, 113:5, 113:15, 119:2, 119:3, 119:4, 125:20, 126:4, 126:22, 129:26, 132:17, 141:2, 145:4, 145:6, 145:11, 145:25, 145:26, 147:4, 147:7, 148:18, 148:22, 155:13, 155:20, 156:15, 157:3, 157:7, 157:12, 157:18, 158:4, 158:6, 158:9, 160:20, 163:6, 164:11, 169:13, 175:19, 176:20, 179:15, 179:16, 180:2, 180:8, 181:22, 183:28, 184:19, 186:1, 186:5, 186:19, 186:26, 193:8, 193:26, 194:6, 194:12, 194:13, 202:9, 205:14, 207:8, 207:16, 207:23, 207:27, 212:23, 213:2, 213:11, 214:20, 214:23, 215:12, 216:19, 217:24, 219:21, 220:10, 221:13, 221:17, 223:10, 226:1, 226:3, 227:2, 227:6, 227:9, 233:10, 233:11, 235:11, 236:4, 240:28, 241:1, 241:13, 242:3, 242:12, 242:21, 247:19, 256:27, 257:5, 257:16, 257:21, 257:23, 257:24, 257:27, 258:14, 258:15, 260:17, 261:26, 264:7, 264:9, 264:10, 266:6, 268:14, 268:23, 269:15, 270:21, 270:25, 271:20, 274:8, 275:13, 275:14,	275:21, 276:11, 276:12, 278:7, 278:8, 278:10, 278:13, 278:15, 281:10, 281:24, 283:10, 284:13, 284:28, 285:8, 285:18, 285:20, 286:1, 286:2, 286:3, 287:9, 296:17, 296:21, 297:5, 297:13, 298:1, 301:9, 301:10, 303:22, 303:27, 305:16, 306:6, 306:24, 309:15, 311:5, 311:9, 311:11, 311:15, 311:20, 313:17 y'all's [7] - 9:23, 28:17, 126:20, 156:23, 261:2, 278:8, 278:9 Year [6] - 5:27, 6:18, 7:6, 40:1, 40:7, 71:16 year [19] - 9:17, 12:18, 14:2, 40:14, 42:11, 43:24, 45:8, 53:21, 53:24, 75:7, 83:22, 93:10, 106:15, 112:11, 189:12, 193:26, 205:1, 221:14, 269:4 YEAR [3] - 39:24, 71:12, 83:13 years [76] - 9:6, 9:16, 13:17, 38:2, 40:13, 42:26, 51:27, 54:6, 64:12, 64:15, 65:9, 65:18, 66:26, 77:22, 83:20, 84:8, 84:17, 84:18, 104:21, 106:4, 159:11, 159:24, 159:26, 160:16, 161:24, 161:25, 162:3, 162:4, 162:9, 162:17, 162:24, 163:18, 164:5, 164:23, 169:7, 169:24, 169:25, 169:26, 170:4, 170:7, 170:10, 170:12, 170:13, 170:14, 170:22, 171:6, 177:28, 187:4, 205:1, 209:28, 212:6, 221:3, 232:9,
		X		
		XVIII [1] - 12:16		
		Y		
		Y'all [3] - 95:17, 151:3, 287:9 y'all [196] - 32:1, 36:27, 38:17, 40:1, 47:7, 49:14, 53:9, 53:13, 57:21, 63:3, 63:12, 66:1, 71:16,		

232:14, 232:15,
 232:17, 243:12,
 244:10, 244:11,
 244:28, 246:11,
 248:5, 252:14,
 253:19, 254:1,
 263:11, 264:25,
 264:26, 264:27,
 264:28, 309:16
yesterday [6] - 38:3,
 41:11, 43:27, 47:4,
 63:14, 158:12
you-all [14] - 85:18,
 102:28, 115:26,
 123:4, 155:1,
 159:22, 160:9,
 176:20, 179:11,
 180:13, 186:15,
 257:19, 257:27,
 281:25
yourself [2] - 236:13,
 236:17

Z

Z-18041 [3] - 6:20,
 84:28, 85:8
Z-18047 [2] - 6:21,
 87:5
Z-18054 [2] - 7:19,
 91:3
zero [1] - 85:9
zone [4] - 85:11, 87:9,
 91:9, 92:10
zoned [3] - 85:10,
 91:10, 91:17
ZONING [1] - 6:19
zoning [2] - 85:28,
 86:2
Zoning [5] - 2:22,
 190:10, 190:13,
 191:21, 262:17
zoo [1] - 265:8