



Baldwin County Commission Work Session
Meeting Minutes

Monday, June 6, 2022
8:30 AM

Baldwin County Foley Satellite Courthouse, Large Meeting Hall
201 East Section Avenue, Foley, Alabama 36535

Commissioners present:

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

Commissioners absent:

None.

Staff present:

Ron Cink, Budget Director/Interim County Administrator
Taylor Bufkin, Public Information and Communications Specialist
Anu Gary, Administrative Services Manager
Jeannie Peerson, Commission Executive Assistant
Brian Peacock, Communications/Information Systems Director
Lisa Sangster, Administrative Support Specialist IV
Cian Harrison, Clerk/Treasurer
Katrina Taylor, Grants Coordinator
Buford King, Deputy Planning Director
Kelly Childress, Council on Aging Coordinator
Deidra Hanak, Personnel Director
Joey Nunnally, County Engineer
Eddie Harper, Building Official
Ron Ballard, Juvenile Detention Center Director
Terri Graham, Development and Environmental Director
Ann Simpson, BRATS Director
Wesley Majors, Animal Shelter Manager
Kathy McHugh, Grants Administrator

Staff present via teleconference:

Wanda Gautney, Purchasing Director

Also present:

Sheriff Huey Hoss Mack
Alainna Elliott, Director of Human Resources, BCSO

Brad Hicks, County Attorney
Guy Busby, Gulf Coast News

After the welcome, invocation and pledge of allegiance, the following agenda items were reviewed and/or discussed:

A ADOPTION OF MINUTES

May 17, 2022, Regular Meeting

No discussion.

B CONSENT

BA ADMINISTRATION

BA1 City of Bay Minette - Annexation Notification **22-1010**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BA2 Cindy Haber Center, Inc. – Board Appointment(s) **22-0992**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BA3 Case No. LV-22008 – Alcohol License Application for Little River Food Plot LLC d/b/a Little River Food Plot LLC **22-1014**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BA4 Case No. LV-22009 - Alcohol License Application for Fraternal Order of Eagles Aerie 4549 d/b/a Fraternal Order of Eagles Aerie 4549 **22-1020**

Chairman Ball noted the approval of Item BA4 is contingent upon the applicant obtaining a permit from the Health Department.

Moved to June 7, 2022, regular meeting, Consent Agenda.

BA5 Case No. LV-22010 - Alcohol License Application for AARSHIVA, Inc. d/b/a Triple A Package Store **22-1023**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BA6 Case No. LV-22011 - Alcohol License Application for Absintheminded Enterprises LLC d/b/a Absintheminded Enterprises LLC **22-0990**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BA7 Letter of Support to ADECA – Electric Vehicle Charging Infrastructure Program **22-1024**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BA8 Space Allocation in County Facilities – Central Annex in Robertsdale, Alabama **22-0010**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BA9 Resolution #2022-099 of the Baldwin County Commission - August 30, 2022, Special School Tax Election Regarding the Adoption, Levy, Assessment and Collection of a Special Three (3) Mill Ad Valorem Tax in the District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama **22-0976**

Chairman Ball asked if Item BA9 is still pending legal review, to which Brad Hicks, County Attorney, replied no. The typographical errors have been corrected.

Moved to June 7, 2022, regular meeting, Consent Agenda.

BB ANIMAL CONTROL

BB1 Baldwin County Animal Shelter - Standard Operating Procedures Manual, Volunteer Handbook, and Rescue Handbook **22-0979**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BD BALDWIN REGIONAL AREA TRANSIT SYSTEM (BRATS)

BD1 Fiscal Year 2023 ALDOT Section 5311 Rural Public Transportation Grant Application **22-1022**

Ann Simpson, BRATS Director, explained the C.A.R.E.S funding, which is currently 100%, will revert to 80% funding next fiscal year.

Commissioner Davis asked the projected delivery date of the vehicles, to which Ms. Simpson

replied the lead time is currently 18 to 24 months.

Moved to June 7, 2022, regular meeting, Consent Agenda.

BD2 Purchase R Two (2) New Public Transit Vehicles for Baldwin Regional Area **22-0998**
Transit System with FY2022 5307 Urban Transportation Grant Funds

Moved to June 7, 2022, regular meeting, Consent Agenda.

BD3 Purchase of (4) New Public Transit Vehicles for Baldwin Regional **22-1000**
Area Transit System with FY2022 5311 Rural Transportation Grant Funds

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE BUDGET/PURCHASING

BE1 Competitive Bid #WG21-29 - Provision of Aftermarket Heavy Duty Truck **22-0974**
Parts for the Baldwin County Commission

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE2 Competitive Bid #WG22-09 - Purchase and Installation of One (1) New 200 **22-0982**
kW Natural Gas Generator for Baldwin County Annex IV Building located in
Bay Minette, Alabama for the Baldwin County Commission

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE3 Competitive Bid #WG22-34 – Provision for Rental of Solar Powered **22-0967**
Portable Message Signs for the Baldwin County Commission

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE4 Competitive Bid #WG22-35 – Provision of Bag Ice for the Baldwin County **22-0969**
Commission

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE5 Competitive Bid #WG22-36 - Provision of Fleet Fuel Management Program **22-1007**
for the Baldwin County Commission

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE6 Competitive Bid #WG22-37 - Provision of Ready-Mix Concrete for the **22-1005**
Baldwin County Commission

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE7 Competitive Bid #WG22-38 – Provision of Mower Blades for the Baldwin County Commission **22-1004**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE8 Competitive Bid #WG22-40 - Provision of Janitorial Services for the Baldwin County Sheriff's Office Located in Bay Minette, Alabama **22-1001**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE9 Competitive Bid #WG22-43 - Provision of Emulsified Asphalt (Bituminous Materials) for the Baldwin County Commission **22-0978**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE10 Construction of Baldwin County Highway Maintenance Facility (Area 100) Located in Bay Minette, Alabama for the Baldwin County Commission **22-0981**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE11 Contract for Engineering / Environmental Services for Lillian Park Beach Habitat and Shoreline Protection Project for the Baldwin County Commission **22-0995**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE12 Project No. BCP 0203120 (HW20031000) - Construction of Baldwin County Intracoastal Waterway (ICW) Boat Launch **22-1011**

Joey Nunnally, County Engineer, explained a cost estimate for repairs to the Intracoastal Waterway (ICW) Boat Launch has been received and Item BE12 is a change order to encompass the repairs. Mr. Nunnally said the County will be reimbursed by the consultant.

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE13 Transfer of One (1) Vehicle from the Baldwin County Building Inspection Department to the Juvenile Detention Center **22-0971**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE14 Transfer of One (1) Vehicle from the Revenue Commission Reappraisal Department to the Building Maintenance Department **22-0966**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BE15 Resolution #2022-103 - School Items Annual Sales Tax Holiday 2022 - July 15-17, 2022 **22-1003**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BI COUNCIL ON AGING

BI1 Title III Older Americans Act Contract Proposal and Application for Fiscal Year 2023 **22-0913**

Kelly Childress, Council on Aging Coordinator, said Item BI1 is an annual grant.

Moved to June 7, 2022, regular meeting, Consent Agenda.

BJ ELECTED OFFICIALS

BJ1 Insolvents, Errors, and Taxes in Litigation for 2021 **22-0964**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BJ2 National Network of Public Health Institutes - Grant Application for Implementation of New Case Management System for Baldwin County Coroner's Office **22-0996**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BJ3 Reimbursement of American Rescue Plan Act Funds Used for State Inmates Housing Expenses **22-1033**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BN HIGHWAY

BN1 Adopt-A-Mile – County Road 65 from US Highway 98 to County Road 26 in Foley, Alabama **22-1008**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BN2 Field Road - Accept for Maintenance, License Agreement and Citizen Participation Program for Construction **22-0991**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BN3 Fiscal Year 2023 Transportation Alternatives Program Application for Extension of County Road 1 Sidewalk Project **22-0927**

Joey Nunnally, County Engineer, noted the County Road 1 Sidewalk Project will be paid using the Transportation Alternatives Program funds.

Moved to June 7, 2022, regular meeting, Consent Agenda.

BN4 Intergovernmental Service Agreement with City of Bay Minette for Striping of Various Roads within Bay Minette City Limits **22-0999**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BN5 Intergovernmental Service Agreement with City of Spanish Fort for Funding Assistance with Transportation Alternatives Program (TAP) Sidewalk Project along Jimmy Faulkner Drive from Dunlin Avenue to Spanish Fort Middle School **22-1021**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BN6 Intergovernmental Service Agreement with Town of Loxley for Routine Blading and Boom Mowing / Tree Trimming of Dirt Road Portions of Truck Trail 17 and Old Brady Road within Loxley Town Limits **22-0876**

Commissioner Gruber asked that the Agreement be corrected to reflect the change from Town of Loxley to City of Loxley.

Joey Nunnally, County Engineer, said the Agreement was drafted prior to the change of Loxley from town to city and he would consult with Brad Hicks, County Attorney, regarding changing the Agreement.

Moved to June 7, 2022, regular meeting, Consent Agenda.

BN7 Permission to Advertise - Vacation of Dirt Road Portion of Etta Smith Road **22-0994**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BQ PERSONNEL

BQ1 Highway Department (Pre-Construction) - Promotion of Employee **22-1018**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BQ2 Highway Department (Subdivision) - Promotion of Employee **22-1019**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BQ3 Highway Department (Traffic Operations) - Promotion of Employees **22-0985**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BQ4 Planning and Zoning Department - Employment of One (1) Planner Position **22-0988**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BQ5 Probate Office - Employment of One (1) License Revenue Officer I Position **22-1016**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BQ6 Request for Leave of Absence - Solid Waste Department **22-1038**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BQ7 Solid Waste Department (Magnolia Landfill) - Promotion of Employee **22-1017**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BQ8 Solid Waste Department (Transfer Station) - Promotion of Employee **22-0989**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BR PLANNING AND ZONING

BR1 Baldwin County Commission Board of Adjustment Number 1 - Board Appointment(s) **22-0997**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BR2 Baldwin County Commission Board of Adjustment Number 2 – Board Appointment(s) **22-1013**

Moved to June 7, 2022, regular meeting, Consent Agenda.

BR3 Proposed Planning (Zoning) District 38 - Acceptance of a Notice of Intent to Form a Planning (Zoning) District, Determination Regarding Infeasibility of Using Precinct Boundaries, and Acceptance of Proposed District Boundaries **22-1025**

Moved to June 7, 2022, regular meeting, Consent Agenda.

C PRESENTATIONS

None.

D PUBLIC HEARINGS

None.

E COMMITTEE REPORTS

EA FINANCE/ADMINISTRATION DIVISION

EA1 Payment of Bills **22-0984**

No discussion.

EA2 Notification of Interim Payments Approved by Clerk/Treasurer as Allowed Under Policy 8.1 **22-0983**

No discussion.

F OTHER STAFF RECOMMENDATIONS

FA ADMINISTRATION

FA1 Discussion Regarding County Noise Ordinance **22-0993**

Sheriff Mack explained there is no local ordinance pertaining to noise as it applies to the unincorporated areas of Baldwin County, only what is applicable under State law. Sheriff Mack said most noise complaints received by the Sheriff's Office are due to gun fire, dogs barking, and loud parties, particularly at night, and noted most calls are handled as a public disturbance since the Sheriff's Office does not have an option to enforce a noise ordinance.

Chairman Ball asked if citizens have recourse by filing a civil suit, to which Brad Hicks, County Attorney, replied yes.

The Commissioners, Sheriff Mack, and Mr. Hicks discussed the ordinances allowed within the municipalities that the County does not have the authority to adopt or enforce.

Mr. Hicks said the Alabama Limited Self-Governance Act would require a referendum vote by the citizens of Baldwin County in order to authorize the Commission to implement a noise ordinance. Mr. Hicks said a referendum can be triggered two ways: by vote of the Commission or by 10% of the registered voters. The alternative path is local legislation by the State Legislature.

The Commissioners asked Mr. Hicks to look into a referendum in hopes to have it on the ballot for the November 8, 2022, General election.

No item moving forward at this time.

FM FINANCE AND ACCOUNTING

**FM1 Amendment of Emergency Rental Assistance Program (ERAP) Guidelines 22-1006
For Baldwin County**

Cian Harrison, Clerk/Treasurer, said Item FM1 amends the Emergency Rental Assistance (ERA) Program application submission deadline to August 1, 2022.

The Commissioners and Ms. Harrison discussed the restrictions that were removed requiring the landlord to be involved, fraudulent applications, the ending date of the program, and the reasons for moving the application submission deadline.

Moved to June 7, 2022, regular meeting, Other Staff Recommendations.

FQ PERSONNEL

**FQ1 *Expenditure of American Rescue Plan Act Funds for Temporary Premium 22-0986
Pay Program**

Deidra Hanak, Personnel Director, explained the proposed use of American Rescue Plan Act Funds for a Temporary Premium Pay Program (TPP). Ms. Hanak said the TPP will provide premium pay to eligible County Commission and Baldwin County Sheriff's Office employees as additional compensation with a cap of \$700 per pay period for the first full pay period of each month.

Cian Harrison, Clerk/Treasurer, explained this is ARPA funding through the Treasury and if the declaration is lifted by the government, the TPP program would end.

Moved to June 7, 2022, regular meeting, Other Staff Recommendations.

FQ2 Implementation of 2020 Salary Survey Increases 22-1030

Deidra Hanak, Personnel Director, said Item FQ2 is the second phase of the 2020 salary survey. Ms. Hanak explained the new pay scale was implemented in phase one, and this "move to market" portion of the salary survey will provide the difference between the "bring to minimum" salary survey recommendations and the "move to market" salary survey recommendations for eligible employees.

Moved to June 7, 2022, regular meeting, Other Staff Recommendations.

FQ3 One-time Lump Sum Payment for Baldwin County Commission Retirees 22-0987

Deidra Hanak, Personnel Director, said a letter from Retirement Systems of Alabama (RSA) has been received regarding Act No. 2022-229, adopted by the Alabama Legislature during their recent session, noting the amount of \$149,552.00 for the one-time lump sum payout to eligible retirees.

Commissioner Underwood noted all entities that participate in the RSA, even if appointed by the Commission, are not eligible to be paid out of the County's RSA account.

Ron Cink, Budget Director/Interim County Administrator, said the option for a lump sum payment for retirees would be discussed during the FY2023 budget deliberations.

Moved to June 7, 2022, regular meeting, Other Staff Recommendations.

FR PLANNING AND ZONING

FR1 Planning District 35 Advisory Committee Appointments **22-1028**

Chairman Ball noted the names of the candidates selected will need to be included in the motion for Item FR1.

Moved to June 7, 2022, regular meeting, Other Staff Recommendations.

G COMMISSIONER REQUESTS

None.

H ADDENDA

HA1 Uniti Fiber, LLC Contract Renewal for Internet and Telecommunication Services, and Upgrade for Baldwin County Commission **22-1002**

Brian Peacock, CIS Director, explained Item HA1 will extend the current agreement with Uniti Fiber, LLC for three years.

Moved to June 7, 2022, regular meeting, Other Staff Recommendations.

I SENIOR STAFF REPORT

Ron Cink, Budget Director, discussed the request from Reverend Melvin Whitehurst to transfer the Lillian Recreational Center back to the non-profit entity that donated it to the County. Mr. Cink said the property was purchased with a National Parks Service grant and cannot be given back and will need to be maintained by the County. Mr. Cink said the maintenance and safety issues to be addressed will be discussed during the FY2023 budget deliberations.

Reverend Whitehurst appeared before the Commission and said he has been unable to find information regarding the property purchase by a National Parks Service grant. Reverend Whitehurst said his understanding is the property could be deeded back to the non-profit

according to the previous 5-year contract.

The Commissioners, Reverend Whitehurst and Mr. Cink discussed the history of the property purchase, how the grant funds were used and the possibility of establishing an advisory committee to advise on the upkeep and security of the park.

It was decided that Reverend Whitehurst would have his attorney contact Brad Hicks, County Attorney, to further discuss the property ownership.

J COUNTY ATTORNEY'S REPORT

None.

K PUBLIC COMMENTS

None.

L PRESS QUESTIONS

None.

M COMMISSIONER COMMENTS

Commissioner Davis discussed the challenges involved in providing services to the citizens of Baldwin County that align with services the citizens want.

The Commissioners and Ron Cink, Budget Director/Interim County Administrator, further discussed the history of the Lillian Recreational Center and park, the value of the grant and the improvements and maintenance needed in order to provide a safe park for the citizens.

Terri Graham, Development and Environmental Director, said a locked box is now available in order for the citizens to drop off payments for solid waste services. Ms. Graham said she feels that processing the payments in-house will be more efficient.

N ADJOURNMENT

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Joe Davis, III, to adjourn the June 6, 2022, Baldwin County Commission Work Session at 9:38 a.m.

The motion passed by the following vote:

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

Nay: 0

Absent: 0

Abstain: 0