

Baldwin County Commission

**Baldwin County Commission Regular
Meeting Minutes
Tuesday, July 18, 2023
8:30 AM**



**Baldwin County Fairhope Satellite Courthouse
County Commission Meeting Chambers
1100 Fairhope Avenue, 2nd Floor
Fairhope, Alabama 36532**

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

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

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

Absent: 0

WELCOME BY CHAIRMAN, INVOCATION AND PLEDGE OF ALLEGIANCE

Also present were, Roger Rendleman, County Administrator, and Brad Hicks, County Attorney.

The Chairman called the meeting to order at 8:33 a.m. Following the Invocation by Commissioner Billie Jo Underwood, and the Pledge of Allegiance led by Commissioner Matthew P. McKenzie, the Commission transacted the following business to-wit:

A ADOPTION OF MINUTES

July 14, 2022, Road and Bridge Division Meeting

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, to adopt the minutes of the July 14, 2022, Road and Bridge Division Meeting.

The motion passed by the following vote:

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

Nay: 0

Absent: 0

Abstain: 0

July 5, 2023, Regular Meeting

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, to adopt the minutes of the July 5, 2023, Regular Meeting.

The motion passed by the following vote:

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

B COMMITTEE REPORTS

BA FINANCE/ADMINISTRATION DIVISION

BA1 Payment of Bills [23-1378](#)

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

The motion passed by the following vote:

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

BA2 Notification of Interim Payments Approved by Clerk/Treasurer as Allowed Under Policy 8.1 [23-1377](#)

No action taken.

C CONSENT

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to approve the Consent Agenda with the exception of Item CH1 which has been removed from the Agenda.

The motion passed by the following vote:

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

CA ADMINISTRATION

CA1 City of Daphne - Annexation Notification

23-1384

Authorize the placement of the City of Daphne's Annexation Ordinance No. 2023-19, annexing property into the corporate limits of the City of Daphne, Alabama, into the minutes of the July 18, 2023, Baldwin County Commission meeting with proper notification to the following departments/organizations:

Baldwin County Commission Departments:

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

Elected Officials:

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

Other Agencies:

Board of Registrars Office
Emergency 911
South Alabama Regional Planning Commission

CA2 City of Fairhope - Annexation Notification

23-1373

Authorize placement of the City of Fairhope's Annexation Ordinance No. 1776, annexing property into the corporate limits of the City of Fairhope, Alabama, into the minutes of the July 18, 2023, Baldwin County Commission meeting with proper notification to the following departments/organizations:

Baldwin County Commission Departments:

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

Elected Officials:

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

Other Agencies:
Board of Registrars Office
Emergency 911
South Alabama Regional Planning Commission

CA3 City of Loxley - Annexation Notification

[23-1348](#)

Authorize the placement of the City of Loxley's Annexation Ordinances No. 2023-11 and 2023-12, annexing property into the corporate limits of the City of Loxley, Alabama, into the minutes of the July 18, 2023, Baldwin County Commission regular meeting with proper notification to the following departments/organizations:

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

Elected Officials:
Baldwin County Probate Office
Baldwin County Revenue Commission
Baldwin County Sheriff's Office

Other Agencies:
Board of Registrars Office
Emergency 911
South Alabama Regional Planning Commission

CA4 Employment Contract for Librarian of Public Law Library

[23-1243](#)

As requested by the Presiding Judge of the Circuit Court of Baldwin County, approve and authorize an Employment Contract between the Baldwin County Commission and Lynn Biles applicable to the position of Librarian of the public law library at an annual compensation of \$45,468.00.

The effective date of this Employment Contract shall be August 3, 2023. This Employment Contract shall continue in full force and effect through and including August 2, 2024.

CA5 Revision of County Take Home Vehicle List - July 2023

[23-1379](#)

Approve the revised County Take Home Vehicle List - July 2023.

The total number of Baldwin County Commission departmental staff driving County owned vehicles home is 225.

CA6 Termination of Agreement for Distribution of Mental Health Funds Pursuant to Section 45-2-80.130 of the Code of Alabama, 1975 [23-1353](#)

Due to the passage of Act 2023-306, terminate the Agreement for the Distribution of Mental Health Funds Pursuant to Section 45-2-80.130 of the Code of Alabama, 1975, between the Baldwin County Commission, the Twenty-Eighth Judicial Circuit Court of Alabama by and through its Presiding Circuit Judge, and the District Attorney of Baldwin County, effective August 1, 2023.

CC ARCHIVES AND HISTORY

CC1 Resolution #2023-154 - Appropriation from Historic Parks Fund to Fort Mims Restoration Association, Inc. [23-1360](#)

Adopt Resolution #2023-154, authorizing an appropriation in the amount of \$15,000.00 from the Historic Parks Fund to the Fort Mims Restoration Association, Inc. for the Fort Mims Re-enactment and Living History Event on August 26 - 27, 2023, and School Days Event 2023 at the Fort Mims State Historic Site, said appropriation/expenditure being used to offset the costs incurred for services provided by the Baldwin County Commission related to site preparation and event services.

CD BALDWIN REGIONAL AREA TRANSIT SYSTEM (BRATS)

CD1 Donation of Transportation Services for Annual Fort Mims Re-enactment and Living History Event [23-1369](#)

Approve the request from the Fort Mims Restoration Association, Inc. to utilize Baldwin Regional Area Transit System (BRATS) for transportation for the annual Fort Mims Re-enactment and Living History Event on August 26, 2023, from 8:30 AM - 3:00 PM at a donated cost of \$532.80.

CD2 Request from United Way of Baldwin County for Transit Services for Agency Tour within Baldwin County [23-1370](#)

Approve the request from United Way of Baldwin County to utilize two (2) Baldwin Regional Area Transit System (BRATS) buses for transporting approximately 40 individuals on an agency tour within Baldwin County on Wednesday, August 2, 2023, at an estimated cost of \$599.40 to be paid by United Way of Baldwin County.

CE BUDGET/PURCHASING

CE1 Competitive Bid #WG21-40 - Provision of Industrial Fittings, Hoses, and Accessories for the Baldwin County Commission [23-1218](#)

Extend Bid #WG21-40 - Provision of Industrial Fittings, Hoses, and Accessories with Bay Side Rubber & Products, Inc., for an additional twelve (12) months at the same prices and terms stated in the original bid award on August 3, 2021. The extension will expire on August 3, 2024.

CE2 Competitive Bid #WG23-40 - Provision of Finished Road Signs for the Baldwin County Commission [23-1363](#)

Award Bid #WG23-40 to Vulcan, Inc. d/b/a Vulcan Signs for the Provision of Finished Road Signs per the Award Listing.

CE3 Competitive Bid #WG23-41 - Provision of Paint Striping Materials for the Baldwin County Commission [23-1366](#)

Award Bid #WG23-41 for the Provision of Paint Striping Materials to the lowest bidders, Crown USA, Inc., Ennis-Flint, Inc., and Swarco Industries, LLC, per the Award Listing.

CE4 Competitive Bid #WG23-42 - Provision of Concrete Sidewalk Repair on County Right-of-Ways for the Baldwin County Commission [23-1365](#)

Award Bid #WG23-42 for the Provision of Concrete Sidewalk Repair on County Right-of-Ways to the overall lowest bidder, L & K Construction, LLC, and authorize the Chairman to execute the Contract. Contract is effective immediately upon the same date as its full execution for twelve (12) months.

CE5 Competitive Bid #WG23-46 - Upgrades for the Elevator Recall System in Baldwin County Corrections Center Located in Bay Minette, Alabama [23-1413](#)

Make Addendum No. 1 which changes the bid opening date from July 20, 2023, to July 28, 2023, for Bid #WG23-46 - Upgrades for the Elevator Recall System in Baldwin County Corrections Center located in Bay Minette, Alabama, part of the official record of the July 18, 2023, Baldwin County Commission Regular meeting.

CE6 Competitive Bid #WG23-47 - Removal of Derelict Sailboat in Weeks Bay Located in the Fairhope Area for the Baldwin County Commission [23-1364](#)

Award Bid #WG23-47 to the lowest bidder, Black Diamond Construction, LLC, for the removal of derelict sailboat in Weeks Bay near 10681 Crescent Point Drive, Fairhope, Alabama, in the bid amount of \$18,000.00 with completion time of three (3) days after Notice to Proceed is issued and authorize the Chairman to execute the Contract.

CE7 Competitive Bid #WG23-50 - Annual Scrap Metal and White Goods Recycling Services for the Baldwin County Commission [23-1338](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the Annual Scrap Metal & White Goods Recycling Services; and
- 2) Further, authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

CE8 Competitive Bid #WG23-51 - Provision of Installation, Service and Operation of the Inmate Telephone and Video Visitation Services for the Baldwin County Sheriff's Office

[23-1342](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the Provision of Installation, Service and Operation of the Inmate Telephone and Video Visitation Services; and
- 2) Further, authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

CE9 Competitive Bid #WG23-52 - Provision of Annual Traffic Signal Repair for the Baldwin County Commission

[23-1350](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the Provision of Annual Traffic Signal Repair; and
- 2) Further, authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

CE10 Competitive Bid #WG23-53 - Provision of Vehicle Detergent for the Baldwin County Commission

[23-1371](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the Provision of Vehicle Detergent for the Baldwin County Commission; and
- 2) Further, authorize the Chairman/Purchasing Division Commissioner for the Baldwin

County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

CE11 Rental of Two (2) Copy Machines for Baldwin County Sales and Use Tax Department and Baldwin County Juvenile Detention Center [23-1357](#)

Approve and authorize the Chairman to execute the rental agreements with Sharp Electronics Corporation for the rental of two (2) new copy machines off the State of Alabama bid for thirty-six (36) months effective the date of execution as follows:

Location: Sales and Use Tax Department - Robertsdale, AL

Model: BP-70C55

Price: \$219.43/month

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

Location: Baldwin County Juvenile Detention Center - Bay Minette, AL

Model: BP-70C55

Price: \$209.88 /month

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

CE12 Computer Software Support Agreement and Addendum with Delta Computer Systems, Inc. for Sales and Use Tax Department [23-1344](#)

Approve and authorize the Chairman to execute the Computer Software Support Agreement and Addendum between the Baldwin County Commission and Delta Computer Systems, Inc., for computer software, with a new monthly rate in the amount of \$1,191.25 effective October 1, 2023. This agreement shall remain in effect for one (1) year and shall automatically renew at each annual period.

CE13 Resolution #2023-150 - Allocation of Funds to Cover Unbudgeted Appointed Staff Salary Increases, New Position and Employee Annual Leave Payouts [23-1340](#)

Adopt Resolution #2023-150 amending the Fiscal Year 2023 Budget (Resolution #2022-165 and #2022-166, adopted September 20, 2022) to allocate funds needed to cover Appointed Staff salary increases and annual leave payouts not considered in the FY23 Budget.

CE14 Request for Waiver of Sales Tax Penalty [23-1351](#)

Approve the sales tax penalty waiver request for taxpayer #8781 in the amount of \$18,769.45.

CF BUILDING INSPECTION

CF1 Computer Software Support Agreement and Addendum with Delta Computer Systems, Inc. for Building Inspection Department [23-1346](#)

Approve and authorize the Chairman to execute the Computer Software Support Agreement and Addendum between the Baldwin County Commission and Delta Computer Systems, Inc., for computer software, with a new monthly rate in the amount of \$285.00, effective October 1, 2023. This agreement shall remain in effect for one (1) year and automatically renew annually for up to three (3) years.

CH COMMUNICATIONS/INFORMATION SYSTEMS (CIS)

CH1 Insightsoftware, LLC - Subscription Agreement for Spreadsheet Server Support [23-1375](#)

Removed from the Agenda.

CH2 Technical Assistance Agreement with ADECA [23-1347](#)

Approve and authorize the Chairman to execute the Technical Assistance Agreement between Alabama Department of Economic and Community Affairs (ADECA) and the Baldwin County Commission for the implementation of the Alabama Community Broadband Technical Assistance Program Project.

This agreement commences July 18, 2023, and expires upon project completion as determined by ADECA or otherwise set forth in the agreement. This Agreement may be terminated by either party with thirty (30) days written notice, said notice specifying the reasons for termination.

CJ ELECTED OFFICIALS

CJ1 Coroner's Office - Sale of Vehicle on GovDeals.com [23-1354](#)

Approve the sale of a 2006 Ford Expedition VIN #1FMPU15556LA53728 on GovDeals.com through the Clerk/Treasurer.

CJ2 Legislative Delegation - Sublease Agreement with Highland Construction, LLC d/b/a The Addison Group for Office Space [23-1425](#)

Approve a Sublease Agreement between the Baldwin County Commission and Highland Construction, LLC, an Alabama limited liability company d/b/a The Addison Group, for office space in The First Bank Building, located at 25556 Canal Road in Orange Beach, Alabama, to be utilized by the Baldwin County Legislative Delegation, in the monthly amount of \$391.00, paid by the Baldwin County Legislative Delegation.

The Lease Agreement will be effective on August 1, 2023, and continue for four (4) years unless sooner terminated by either party as provided in the agreement.

CK EMERGENCY MANAGEMENT AGENCY (EMA)

CK1 FY 2024 Alabama Department of Public Health Strategic National Stockpile Grant Agreement

[23-1406](#)

Take the following actions:

1) Approve and accept the Fiscal Year 2024 Alabama Department of Public Health (ADPH) Strategic National Stockpile (SNS) Grant Agreement with the Alabama Department of Public Health, for grant number C30116170 in the amount of \$11,000.00 for the Baldwin County Emergency Management Agency as the Regional Distribution Site for the ADPH Southwestern District. Once executed, this grant is effective as of July 1, 2023, and will terminate on June 30, 2024; and

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

CL ENVIRONMENTAL MANAGEMENT

CL1 Application for Transfer of Magnolia Sanitary Landfill Disposal Permit

[23-1399](#)

Take the following actions:

1) Approve the Application for Transfer of Solid Waste Disposal Facility Permit transferring the Magnolia Sanitary Landfill Disposal Permit #02-03 from the Baldwin County Commission to The Solid Waste Disposal Authority of Baldwin County Alabama, Inc.; and

2) Authorize the Clerk/Treasurer to issue a check payable to the Alabama Department of Environmental Management (ADEM) in the amount of \$800.00 per the fee schedule set forth by ADEM.

CL2 Baldwin County Solid Waste Uncollectible Residential Accounts - July 2023

[23-1390](#)

Approve the uncollectible residential garbage accounts list for write-off in the amount of \$571.00.

CN HIGHWAY

CN1 Brightspeed - Non-reimbursable Utility Agreements

[23-1382](#)

Approve the Non-reimbursable Utility Agreements between the Baldwin County Commission and Brightspeed for the relocation of utilities to complete the following projects:

1) Project ERPR-9072(976) / HW22165 Culvert Replacement on NW 1st Street on

County Road 71 (2,433 feet south of County Road 36); and

2) Project ERPR-9072(975) / HW22166 Culvert Replacement on County Road 20 (Miflin Road) (410 feet east of Swift Church Road); and

3) Project ERPR-9072(971) / HW22171 Culvert Replacement on County Road 83 (990 feet south of Woerner Road); and

4) Project ERPR-9072(988) / HW22173 Culvert Replacement on County Road 32 (1,085 feet east of County Road 87); and

5) Project ERPR-9072(987) / HW22174 Culvert Replacement on County Road 32 (2,349 feet west of County Road 95).

These agreements shall be effective upon full execution and will terminate upon completion of the projects.

CN2 East Central Baldwin Water Authority - Reimbursable Utility Agreements

[23-1381](#)

Approve the Reimbursable Utility Agreements between the Baldwin County Commission and East Central Baldwin Water Authority for the relocation of utilities to complete the following projects:

1) Project ERPR-9072(974) / HW22167 Culvert Replacement on County Road 112; 4,138 feet east of Barrineau Park Road. Total cost of this relocation is \$25,700.00 with Alabama Department of Transportation (ALDOT) providing \$20,560.00 (80%) and Baldwin County providing the remaining \$5,140.00 (20%); and

2) Project ERPR-9072(967) / HW22168 Culvert Replacement on County Road 112; 2,223 feet west of Barrineau Park Road. Total cost of this relocation is \$23,100.00 with ALDOT providing \$18,480.00 (80%) and Baldwin County providing the remaining \$4,620.00 (20%); and

3) Project ERPR-9072(973) / HW22169 Culvert Replacement on County Road 87; 2,140 feet south of Seed Orchard Road. Total cost of this relocation is \$31,600.00 with ALDOT providing \$25,280.00 (80%) and Baldwin County providing the remaining \$6,320.00 (20%); and

4) Project ERPR-9072(972) / HW22170 Culvert Replacement on County Road 87; 765 feet north of Seed Orchard Road. Total cost of this relocation is \$31,600.00 ALDOT providing \$25,280.00 (80%) and Baldwin County providing the remaining \$6,320.00 (20%); and

5) Project ERPR-9072(971) / HW22171 Culvert Replacement on County Road 83; 990 feet south of Woerner Road. Total cost of this relocation is \$25,100.00 with ALDOT providing \$20,080.00 (80%) and Baldwin County providing the remaining \$5,020.00

(20%); and

6) Project ERPR-9072(970) / HW22172 Culvert Replacement on County Road 32; 2,680 feet east of County Road 83. Total cost of this relocation is \$33,200.00 with ALDOT providing \$26,560.00 (80%) and Baldwin County providing the remaining \$6,640.00 (20%); and

7) Project ERPR-9072(988) / HW22173 Culvert Replacement on County Road 32; 1,085 feet east of County Road 87. Total cost of this relocation is \$20,300.00 with ALDOT providing \$16,240.00 (80%) and Baldwin County providing the remaining \$4,060.00 (20%).

The agreements shall be effective upon full execution and will terminate upon completion of the projects.

CN3 Town of Summerdale - Reimbursable Utility Agreement

[23-1374](#)

Approve a Reimbursable Utility Agreement between the Baldwin County Commission and the Town of Summerdale for the relocation of utilities to complete Project ERPR-9072(976) / HW22165 Culvert Replacement at NW 1st Street on CR 71 (2,433 feet south of County Road 36). The total cost of this relocation is \$21,000.00 with the Alabama Department of Transportation (ALDOT) providing \$16,800.00 (80%) and Baldwin County providing the remaining \$4,200.00 (20%). This agreement shall be effective upon full execution and will terminate upon completion of the project.

CN4 Novelis Site Access Improvements - Letter of Support for Industrial Access Road and Bridge Corporation Funding

[23-1383](#)

Take the following actions:

1) Approve and authorize the Chairman to execute a letter of support to the Industrial Access Road and Bridge Corporation through the Alabama Department of Transportation for additional funding for access improvements at the Novelis site; and

2) Authorize the Chairman to execute any further documentation related to the Industrial Access Road and Bridge Corporation application.

CN5 Rebuild Alabama - Baldwin County Fiscal Year 2023 Contractor Report

[23-1389](#)

Approve the Chairman to execute the Fiscal Year 2023 County Rebuild Alabama Contractor Report for awarded projects funded with County Rebuild Alabama Funds.

CQ **PERSONNEL**

CQ1 Citizen Service Center - Voluntary Demotion

[23-1410](#)

Approve the voluntary demotion of Tammy Monte from the Operations Support Specialist II Highway position (#5222) grade 307 (\$20.05 per hour / \$41,704.00 annually) in Highway Department Area 100 (53111), to fill the open Customer Service Representative I position (#148) grade 306 (\$19.05 per hour / \$39,624.00 annually) in the Citizen Services Department (51130) to be effective no sooner than July 31, 2023.

CQ2 CIS Department - Employment of One (1) Communications Technician II Position [23-1392](#)

Approve the employment of Dennis Drysdale to fill the open Communications Technician II position (#5624) at a grade 311 (\$19.38 per hour / \$40,310.40 annually) to be effective no sooner than July 24, 2023.

CQ3 Finance and Accounting Department - Employment of One (1) Staff Accountant Position [23-1391](#)

Approve the employment of Emma Ramos to fill the open Staff Accountant position (#413) at a grade S313 (\$45,364.80 annually) to be effective no sooner than July 24, 2023.

CQ4 Highway Department (Construction) - Approval of Updated Position Description [23-1394](#)

Approve the updated position description for the Bridge/Project Coordinator position.

CQ5 Juvenile Detention Center - Employment of One (1) Detention Worker I Position [23-1395](#)

Approve the employment of Brooke Briggs to fill the open Detention Worker I position (#14) at a grade 308 (\$16.42 per hour / \$34,153.60 annually) to be effective no sooner than July 24, 2023.

CQ6 Probate Office - Retitle of Position [23-1404](#)

Take the following actions:

- 1) Retitle the Deputy Chief Clerk In-training position (PID #4086) to Probate Compliance Officer, with no change in pay grade; and
- 2) Approve the updated position description for the Probate Compliance Officer; and
- 3) Approve the updated organizational chart for the Probate Office.

CQ7 Revenue Commission (Re-Appraisal) - Position Changes [23-1396](#)

Take the following actions:

- 1) Reclassify the Real Property Appraiser I position (#5374) grade 310 (grade 310 range: \$18.28 - \$29.95 per hour) to a Real Property Appraiser Specialist at a grade 309 (grade 309 range: \$17.25 - \$28.26 per hour); and
- 2) Reclassify the Real Property Appraiser I position (#4099) grade 310 (grade 310 range: \$18.28 - \$29.95 per hour) to a Real Property Appraiser Trainee at a grade 309 (grade 309 range: \$17.25 - \$28.26 per hour); and
- 3) Approve the updated position description for Real Property Appraiser Specialist; and
- 4) Approve the updated organizational chart for the Revenue Commission - Appraisal Division.

CQ8 Solid Waste Department - Personnel Changes

[23-1397](#)

Take the following actions:

- 1) Change the Deputy Solid Waste Officer / Operations Manager position (#4069) from grade S317 (grade S317 range \$57,544.00 - \$94,297.00 annually) to grade 317 (grade 317 range \$27.67 - \$45.33 per hour), with no change in pay; and
- 2) Approve the lateral transfer of James Gilreath from Traffic Control Technician II position (#5173) grade 309 (\$17.25 per hour / \$35,880.00 annually) in the Highway Traffic Operations Department (53135) to fill the open Landfill Equipment Operator II position (#5452), at a grade 309 (\$18.00 per hour / \$37,440.00 annually) in the Solid Waste Department Eastfork (54331).

These actions shall be effective no sooner than July 31, 2023.

CR PLANNING AND ZONING

CR1 Baldwin County Commission Board of Adjustment #1 - Board Appointment(s)

[23-1359](#)

Related to the Baldwin County Commission Board of Adjustment #1, take the following actions:

- 1) Accept the resignation of Ms. Elizabeth Wilson effective June 28, 2023, and thank her for her prior civic service as an alternate member (Planning District 37 Designee); and
- 2) Appoint Mr. Doug Ward as a regular member (Planning District 39 Designee) for a pro-rata reduced three (3) year term, to fill the place seat for new Planning District 39, said term commencing July 18, 2023, and expiring March 16, 2026; and

3) Appoint Ms. Haley Gregorius as an alternate member (Planning District 39 Designee) for a pro-rata reduced three (3) year term to fill the place seat for new Planning District 39, said term commencing July 18, 2023 and expiring March 16, 2026.

CR2 Baldwin County Planning and Zoning Commission - Board Appointment(s)

[23-1398](#)

As relates to the Baldwin County Planning and Zoning Commission, appoint Mr. Daniel (Danny) Bolton as a temporary one-time member of the Board (BCC District 2 Nominee) for a three (3) year term, to fill the place seat for new Planning District 39, said term to commence July 18, 2023, and expire July 18, 2026.

D PRESENTATIONS

None.

E PUBLIC HEARINGS

ER PLANNING AND ZONING

ER1 Case No. TA-23002 - Amendments to the Baldwin County Zoning Ordinance Adding Planning District 39 Zoning Map and Local Provisions and Miscellaneous Changes to the Full Ordinance

[23-1402](#)

Matthew Brown, Planning Director, provided an overview of Case No. TA-23002 - Amendments to the Baldwin County Zoning Ordinance adding Planning District 39, and thanked the members of the Planning District 39 Advisory Committee for their efforts. Mr. Brown discussed the new local provisions and special requests for zoning changes in Planning District 39 to be considered by the Commission.

Further discussion took place regarding the enforceability of traffic studies, site plan approval being required for major projects, and adding the traffic study as a contingency to the site plan prior to Commission consideration.

Chairman Gruber opened the public hearing at 8:56 a.m. and asked if there is anyone present who wishes to speak.

Mr. Robert Haynes read a prepared statement commending the Planning Commission, the Planning and Zoning Department, and the members of the Planning District 39 Advisory Committee for their careful consideration of the residents of the district and urged the Commission to approve the Planning Commission's recommendation.

Mr. Frank Leatherbury, on behalf of the Planning District 39 Advisory Committee, said he feels the process has been fair and he is here to answer any questions.

Ms. Jessica McDill, legal counsel on behalf of the Radcliff family, said the Radcliff

family is in opposition to the rezoning designation of Rural Agricultural (RA) for parcel 286139 owned by Sweetwater Investments. Ms. McDill explained Sweetwater Investments seeks to develop an RV park and she feels this conflicts with the neighboring uses and density of the surrounding parcels. Ms. McDill said the request is to zone the Sweetwater parcel as Residential Single Family-1 (RSF-1) which she feels is consistent with the surrounding parcels.

Mr. Brown discussed the history of the Sweetwater property, options for zoning in the area, and making RV parks in RA zoned areas conditional uses.

Ms. McDill noted the request for RSF-1 zoning is consistent with surrounding properties in the community, particularly regarding density, and she feels it preserves the character of the community.

Mr. Brown explained that the special zoning requests would be handled as interim votes and incorporated into the final staff recommendation.

Mr. Taylor Henseler, with DR Horton, provided a project summary of South Bend Village and discussed the planned infrastructure improvements for the development. Mr. Henseler said the zoning request is for RSF-4 or Planned Residential Development (PRD) zoning with base zoning of RSF-2.

Mr. Chris Gill, legal counsel with Hand Arendall representing DR Horton, discussed the history of the project, the possibility of base community zoning resulting in a non-conforming use, and DR Horton's request for RSF-2 or RSF-2 with a PRD overlay.

Discussion took place regarding DR Horton working in conjunction with ALDOT on the major improvements needed to the water and sewer lines, increasing landscaping buffers for the development, and the request from Mr. Gill to restart the four-year approval clock for the development to begin upon approval of the Zoning Ordinance due to what he feels were delays in the approval process.

Ms. Chloe Kelly, with Tera Core Development Services, provided an overview of the Sherwood Grove project. Ms. Kelly discussed the approximately \$3.6M in off-site improvements to infrastructure including water and sewer extensions and existing turn lanes. Ms. Kelly said the request is for RSF-2 with a PRD overlay to avoid having a non-conforming use.

Mr. Brown explained base community zoning is the least restrictive of all zoning designations for residential.

Ms. Hayley Gregorius, Planning District 39 Advisory Committee member, explained the selection of base community zoning was an effort to avoid setting a precedence for future developments.

Further discussion took place regarding future rezoning requests and if the action taken today would set precedence for future developments.

Mr. Leatherbury said he feels the availability of a timeline extension should apply to all developers.

There being no further requests to address the Commission, Chairman Gruber closed the public hearing at 9:29 a.m.

Further discussion took place regarding the request for the Sweetwater parcel to be zoned RSF-1, the process of retrofitting zoning, and how long the base community zoning designation has been available.

Mr. Brown explained the special zoning requests would be voted on separately, and then included in the final motion.

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, to approve the request from the Champion family to zone PIN #'s 345813, 345814, 315926, 63174, 63175, 7014, and 7011 as RSF-E instead of RA or BCZ as originally proposed.

The motion passed by the following vote:

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

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, to approve the request to zone PID# 05-56-01-02-0-001-011.020 as RSF-1 instead of RA as originally proposed.

The motion passed by the following vote:

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

Matthew Brown, Planning Director, explained the rezoning requests regarding Southbend 1 & 2 and Sherwood developments.

Mr. Gill said DR Horton is willing to accept the motion presented with or without the timeline reset to four years.

Discussion took place regarding the four-year timeline from preliminary plat to construction plan approval, extension of the timeline, adding verbiage to any extension to clarify "to the extent the Commission has the authority," infrastructure improvements, how often extensions have been approved, and the effect of supply chain issues on project timelines.

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, to approve the following special requests with the clarification that this approval does not include any time extensions:

1) That parcels 05-56-06-14-0-000-024.000 & 05-56-06-14-0-000-011.000 be accepted as a Planned Residential Development permitted to have clustered lots meeting RSF-2 zoning densities with minimum lot sizes not less than 7,000 square feet, and that any new Preliminary Plat application shall otherwise conform to all requirements of the Baldwin County Zoning Ordinance; and

2) That parcel 05-56-06-14-0-000-015.000 be accepted as a Planned Residential Development permitted to have clustered lots meeting RSF-2 zoning densities with minimum lot sizes not less than 7,000 square feet, and that any new Preliminary Plat application shall otherwise conform to all requirements of the Baldwin County Zoning Ordinance.

The motion passed by the following vote:

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

Matthew Brown, Planning Director, said the final staff recommendation is the local provisions, full ordinances and incorporating the special requests that the Commission just discussed.

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner James E. Ball, to adopt Resolution #2023-134 which approves the amendments to the Baldwin County Zoning Ordinance adding Planning District 39 and miscellaneous changes to the full Zoning Ordinance.

The motion passed by the following vote:

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

Nay: 0
Absent: 0
Abstain: 0

ER2 Baldwin County Master Plan: "Our Vision - A Citizen's Guide to Growth in the Zoned Areas of Baldwin County" [23-1401](#)

Matthew Brown, Planning Director, gave an overview of the Baldwin County Master Plan: "Our Vision - A Citizen's Guide to Growth in the Zoned Areas of Baldwin County."

Chairman Gruber opened the public hearing at 9:59 a.m. and asked if there is anyone present who wishes to speak.

Mr. David Ellis, property owner in the Holly Hills community in Bay Minette, discussed his concerns regarding zoning designations in the Master Plan and possible future land use changes.

Discussion took place regarding the Master Plan not being applicable to unzoned areas of Baldwin County and the citizen driven process for rezoning of property.

There being no further requests to address the Commission, Chairman Gruber closed the public hearing at 10:06 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, pursuant to Alabama Code §45-2-261, et seq., to adopt Resolution #2023-107, which approves the Baldwin County Master Plan: "Our Vision - A Citizen's Guide to Growth in the Zoned Areas of Baldwin County."

The motion passed by the following vote:

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

F OTHER STAFF RECOMMENDATIONS

FA ADMINISTRATION

FA1 *Baldwin County Board of Equalization - Submission of Nominees to Represent the Baldwin County Commission [23-0926](#)

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, in conformance with Section 40-3-2, Code of Alabama (1975), to nominate the following three (3) persons for consideration by the Alabama Commissioner of Revenue, with the approval of the Governor, for one (1) of said nominees to serve as a

member of the Baldwin County Board of Equalization, for a four (4) year period, said term to commence October 1, 2023:

Nominee #1 - Mr. Al Thompson

Nominee #2 - Mr. Thomas Granger

Nominee #3 - Ms. Hope Zeanah

Further, authorize all County Commissioners to sign the Official Report - Nominations for the County Board of Equalization for submission to the Alabama Department of Revenue.

The motion passed by the following vote:

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

Nay: 0

Absent: 0

Abstain: 0

FC ARCHIVES AND HISTORY

FC1 Bicentennial Park - Upcoming Project and Christmas 2023

[23-1361](#)

No action taken.

FR PLANNING AND ZONING

FR1 Planning District 14 Advisory Committee - Appointment(s)

[23-1349](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, related to the Planning District 14 Advisory Committee (approved to be created by the Baldwin County Commission as a result of the Planning District 14 Zoning Referendum held on June 6, 2023), appoint the following five Committee members with each member's term commencing July 18, 2023, and to expire upon the adoption of zoning ordinances and regulations for the district by the Baldwin County Commission:

Marla Kay Barnes

Connie Fidler Glassford

Thomas Dwight Kiel

Jeffery Wayne Underwood

George E. Watters

The motion passed by the following vote:

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

Nay: 0

Absent: 0

Abstain: 0

G AMERICAN RESCUE PLAN ACT (ARPA) RECOMMENDATIONS

GA GENERAL

GA1 Reclassification of ARPA Funds Expended for Audit of FY22 Schedule of Expenditures of Federal Awards (SEFA) [23-1388](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner James E. Ball, to approve the reclassification of \$3,146.29 American Rescue Plan Act (ARPA) funds expended for the FY22 Audit of Federal Awards of the Baldwin County Commission from budget line 10051700.51640 to ARPA Fund 299.

The motion passed by the following vote:

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

Nay: 0

Absent: 0

Abstain: 0

GA2 ARPA Program Update [23-1386](#)

No action taken.

H ADDENDA

HA1 Fiscal Year 2023 State Homeland Security Grant Program through the Alabama Law Enforcement Agency [23-1407](#)

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner Billie Jo Underwood, to take the following actions:

- 1) Approve the submittal of the Homeland Security Grant application to the Alabama Law Enforcement Agency (ALEA) in the amount of \$46,908.00 for the Baldwin County Emergency Management Agency to purchase four (4) portable incident staging lights; and
- 2) Authorize the Chairman to sign any other documents related to the grant application; and
- 3) Authorize EMA Planning and Grants Division Manager to submit the Agreement electronically through the ALEA grants portal, on behalf of the Baldwin County Commission, by July 31, 2023.

The motion passed by the following vote:

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

Nay: 0
Absent: 0
Abstain: 0

HA2 Letter of Support for Franklin Primary Health Center, Inc. for Public Health Service Section 330 Grant

[23-1422](#)

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner Billie Jo Underwood, to approve and authorize the Chairman to execute a Letter of Support to Franklin Primary Health Center, Inc. for the Service Area Competition Application for the Public Health Service Section 330 Grant.

The motion passed by the following vote:

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

HA3 Sheriff's Office - Renewal of Intergovernmental Support Agreement with Naval Air Station Whiting Field, Florida for Conducting Emergency Vehicle Operations Course at NOLF Silverhill

[23-1320](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to approve the renewal of the Intergovernmental Support Agreement (IGSA) between Naval Air Station Whiting Field, Florida (NASWF) and the Baldwin County Commission through the Baldwin County Sheriff's Office (BCSO) allowing NASWF to provide space on unused taxiways/runways at Naval Outlying Field (NOLF) Silverhill for the BCSO to conduct Emergency Vehicle Operations Course (EVOC) training.

This third renewal of the agreement will be for a period of one (1) year, commencing July 18, 2023, and expiring July 18, 2024.

This agreement may be terminated unilaterally by either Party upon 60 calendar day written notice to the Point of Contacts designated in the agreement.

The motion passed by the following vote:

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

HA4 Reciprocal Agreement with City of Orange Beach for the Exchange of Tax

[23-1427](#)

Returns and Information

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to approve the Reciprocal Agreement between the Baldwin County Commission and the City of Orange Beach, Alabama, related to the cooperative exchange of tax information.

This agreement shall become effective August 1, 2023, for a period of three (3) years and automatically renew annually thereafter. Either party (municipality or county) may terminate the agreement, with or without cause or reason, by giving thirty (30) days written notice of such termination to the other party.

The motion passed by the following vote:

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

I COMMISSIONER REQUESTS

None.

J SENIOR STAFF REPORT

None.

K COUNTY ATTORNEY'S REPORT

None.

L PUBLIC COMMENTS

Mr. Fred Steiner discussed his concerns regarding the closure of certain county facilities during lunchtime, early voting locations being limited to Bay Minette or Montgomery, and property valuations.

M PRESS QUESTIONS

None.

N COMMISSIONER COMMENTS

The Commissioners provided their closing comments.

O ADJOURNMENT

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to adjourn the July 18, 2023, Regular meeting at 10:25 a.m.

The motion passed by the following vote:

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