



## Baldwin County Commission Regular Meeting Minutes

Tuesday, July 16, 2024  
10:00 AM

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

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[Supporting documentation for the minutes can be viewed in the File ID link of each item.](#)

### **PRE-MEETING WORK SESSION (8:30 AM)**

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

**Absent:** 0

Also present were Roger Rendleman, County Administrator, Frank Lundy, County Engineer, and Shawn Alves, County Attorney.

The Baldwin County Commission met for a work session (pre-Commission meeting) on July 16, 2024, at 8:30 a.m. in the Baldwin County Fairhope Satellite Courthouse, County Commission Meeting Chambers - 2nd Floor.

### **WELCOME, INVOCATION AND PLEDGE OF ALLEGIANCE**

The Chairman called the meeting to order at 8:35 a.m. Following the Invocation by Chairman Underwood, the Pledge of Allegiance was led by Commissioner McKenzie.

### **REVIEW OF ITEMS AND SETTING OF THE CONSENT AGENDA**

Review and discussion of items on the Regular meeting agenda. The Commission will set the Consent Agenda for the Regular meeting, determining the order of items for consideration with any additions, removals and/or replacements as presented.

**CA6** - Commissioner Ball nominated Chairman Underwood as representative to the Association of County Commissions of Alabama (ACCA) Legislative Committee. The Commissioners agreed.

**CD2** - Discussion took place regarding traffic concerns and access points related to the

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Fort Mims Re-enactment and Living History Event.

Frank Lundy, County Engineer, noted the use of message boards and several low cost improvements in coordination with ALDOT are being looked into.

**CO3** - Replacement Attachment - FY24 Rebuild Alabama Contractor Report due to removal of the Sherman Road - Bridge Replacement over Weeks Branch project.

**GA1** - It was decided that Addendum Item GA1 would be moved to the Consent Agenda.

## **COMMISSIONER REQUESTS**

Chairman Underwood discussed the Association of County Commissions of Alabama (ACCA) leadership program for second term Commissioners, the group's passion project on mental health, and the Stepping Up Program which is comprised of several initiatives, three of which the Baldwin County Sheriff's Office has already implemented. A presentation by the Sheriff's Office regarding mental health initiatives has been added to the Regular Meeting agenda.

## **SENIOR STAFF REPORTS**

### **GENERAL**

#### **1 Coroner's Office - Strategic Planning Update and Presentation**

**24-0905**

Dr. Brian Pierce, Baldwin County Coroner, provided an update regarding the strategic planning for the Baldwin County Coroner's Office.

Discussion took place regarding the cost of a proposed new facility for the Coroner's Office, the need for additional space, building in phases to reduce costs, and the importance of ensuring local laws are in line with State regulations regarding death investigations. Dr. Pierce was asked to look at downsizing the current building plan if possible.

Dr. Pierce introduced Ms. Claire Arnold, student of the University of South Alabama, who is interning at the Coroner's Office.

## **COMMISSIONER REQUESTS - Cont.**

Commissioner McKenzie asked if the Commission is in favor of asking the Legislature to consider implementing a lodging tax in Baldwin County.

The Commissioners agreed this is needed, but it will take legislation to get designated funding.

## **COUNTY ATTORNEY'S REPORT**

David Conner, County legal counsel with Blackburn & Conner, P.C., recommended the Commission convene in an executive session, in accordance with Code of Alabama Section 36-25A-7A1, to discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees; and to discuss with

their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action.

Mr. Conner said it is anticipated the executive session will last approximately 15 minutes, at which time the Commission can reconvene the work session. Mr. Conner made the oral declaration that the discussion is appropriate for executive session.

### **ADJOURNMENT OF PRE-MEETING WORK SESSION**

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Matthew P. McKenzie, in accordance with Code of Alabama Section 36-25A-7, to move into an executive session at 9:20 a.m. for approximately 15 minutes to:

1) discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees; and

2) to discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action.

Chairman Underwood asked if there was a reason to reconvene the Work Session for a vote on the item, to which Mr. Conner replied there is no need to reconvene the Work Session. The item will be brought up during the Regular meeting for a vote.

After the motion and second, and before the vote, Chairman Underwood said the Commission will adjourn into an executive session at 9:20 a.m. and the Commission will not reconvene the Work Session.

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

### **REGULAR MEETING (10:00 AM)**

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

**Absent:** 0

Also present were Roger Rendleman, County Administrator, Frank Lundy, County Engineer, and Shawn Alves, County Attorney.

## WELCOME, INVOCATION AND PLEDGE OF ALLEGIANCE

The Chairman called the meeting to order at 10:00 a.m. Following the Invocation by Pastor Rodney Phillips with 3Circle Church, Fairhope, and the Pledge of Allegiance led by Commissioner Gruber, the Commission transacted the following business to-wit:

### A ADOPTION OF MINUTES

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Matthew P. McKenzie, to adopt the minutes of the July 2, 2024, Baldwin County Commission 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

[24-0920](#)

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

The motion passed by the following vote:

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

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

[24-0919](#)

No action taken.

### C CONSENT

Chairman Underwood noted Addendum Item GA1 has been added to the Consent Agenda, Item CA6 has Commissioner Underwood as the nominee to the ACCA Legislative Committee, and Item CO3 has a Replacement Attachment.

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie,

to approve the Consent Agenda with the noted changes.

The motion passed by the following vote:

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

**CA ADMINISTRATION**

**CA1** City of Fairhope - Annexation Notification [24-0921](#)

Acknowledge and make part of the record the City of Fairhope Ordinance No. 1803, annexing property into the corporate limits of the City of Fairhope, Alabama.

**CA2** Case No. LV-24007 - Alcohol License Application for O and F Development LLC d/b/a Fermo's Cellar Door [24-0799](#)

Approve the issuance of 011 - Lounge Retail Liquor - Class II (Package) license by the Alabama Alcoholic Beverage Control (ABC) Board for O and F Development LLC d/b/a Fermo's Cellar Door, located at 10185 County Road 64 Unit 4, Daphne, Alabama 36526.

**CA3** Case No. LV-24008 - Alcohol License Application for A Restaurant Group LLC d/b/a Sassy Bass Liquor Store [24-0824](#)

Approve the transfer and issuance of 011 - Lounge Retail Liquor - Class II (Package) license by the Alabama Alcoholic Beverage Control (ABC) Board from A Restaurant Group LLC d/b/a Sassy Bass Liquor Store located at 5160 Highway 180 Suite A, Fort Morgan, Alabama 36542 to A Restaurant Group LLC d/b/a Sassy Bass Liquor Store, located at 5180 Highway 180 Suite E, Gulf Shores, Alabama 36542.

**CA4** Case No. LV-24009 - Alcohol License Application for A Restaurant Group LLC d/b/a Sassy Bass Market Place [24-0825](#)

Approve the transfer and issuance of 050 - Retail Beer (Off Premises Only) license by the Alabama Alcoholic Beverage Control (ABC) Board from A Restaurant Group LLC d/b/a Sassy Bass Market Place located at 5160 Highway 180, Fort Morgan, Alabama 36542 to A Restaurant Group LLC d/b/a Sassy Bass Market Place, located at 5180 Highway 180 Suite D, Gulf Shores, Alabama 36542.

**CA5** Case No. LV-24011 - Alcohol License Application for The Tin Top LLC d/b/a The Tin Top Restaurant and Oyster Bar [24-0908](#)

Approve the transfer and issuance of 020 - Restaurant Retail Liquor license by the Alabama Alcoholic Beverage Control (ABC) Board from The Tin Top LLC d/b/a The Tin Top Restaurant & Oyster Bar located at 6232 Bon Secour Highway, Bon Secour, Alabama 36511 to The Tin Top LLC d/b/a The Tin Top Restaurant and Oyster Bar located at 17451 County Road 49 S, Bon Secour, Alabama 36511.

Approval is contingent upon applicant obtaining a health department permit and a business license.

**CA6** Association of County Commissions of Alabama (ACCA) 2024-2025 [24-0934](#)  
Legislative Committee Appointment

Select Commissioner Billie Jo Underwood as the Baldwin County Commission's representative to the 2024-2025 Association of County Commissions of Alabama (ACCA) Legislative Committee.

**CA7** Employment Contract for Librarian of Public Law Library [24-0810](#)

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 2, 2024. This Employment Contract shall continue in full force and effect through and including August 3, 2025.

**CA8** Voting Administration - Use of Facility and Provision of Professional [24-0913](#)  
Cleaning Services

Related to Baldwin County Voting Locations Boykin Center (Precinct No. 5) and Homestead Village of Fairhope (Precinct No. 49), take the following actions:

- 1) Approve an Agreement between the Baldwin County Commission and Bay Minette Housing Authority for professional cleaning services after elections commencing July 22, 2024, and expiring July 21, 2027; and
- 2) Approve an Agreement between the Baldwin County Commission and Homestead Village of Fairhope, LTD for professional cleaning services after elections commencing August 3, 2024, and expiring August 2, 2027; and
- 3) Authorize County personnel to accomplish external grounds-cleaning for Baldwin County Voting Precincts 5 and 49 after elections; and
- 4) Authorize the expenditure of \$235.00 per location for professional cleaning services.

**CD BALDWIN REGIONAL AREA TRANSIT SYSTEM (BRATS)**

**CD1** Amendment to FY 2023 Section 5307 Urbanized Area Public Transportation Grant [24-0858](#)

As related to the Fiscal Year 2023 Section 5307 Urban Transportation Grant Program, authorize Baldwin Regional Area Transit System (BRATS) staff to submit an Amendment to the FY 2023 Section 5307 Urban Transportation Grant to request additional funding for the increased construction cost of the Loxley Transit Passenger Shelter.

**CD2** Donation of Transportation Services for Annual Fort Mims Re-enactment and Living History Event [24-0917](#)

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 24, 2024, from 8:30 a.m. to 3:00 p.m. at a donated cost of \$510.40.

**CD3** FY 2025 Section 5307/5339 Urbanized Area Public Transportation Grant Application [24-0897](#)

Authorize Baldwin Regional Area Transit System (BRATS) staff to submit the Fiscal Year 2025 Urban Transportation Grant application for Section 5307 Federal funds in the amount of \$958,000.00 and Section 5339 Federal funds in the amount of \$108,000.00 to the Federal Transit Administration (FTA) electronically through the required web-based portal "Transit Award Management System" (TrAMS).

**CD4** FY 2025 Section 5307 ARPA Public Transportation Grant Application [24-0899](#)

Authorize Baldwin Regional Area Transit System (BRATS) staff to submit the Fiscal Year 2025 Section 5307 American Rescue Plan Act (ARPA) Grant application for Section 5307 Federal funds in the amount of \$60,770.00 to the Federal Transit Administration (FTA) electronically through the required web-based portal "Transit Award Management System" (TrAMS).

**CD5** FY 2025 Section 5311 Rural Public Transportation Grant Application [24-0900](#)

Take the following actions:

1) Adopt Resolution #2024-134 authorizing the Baldwin County Commission to commit up to \$1,419,364.00 as local non-federal match for operations, administration, and capital (preventative maintenance) expenditures under Section 5311 Non-urbanized Public Transportation Program during Fiscal Year 2025 with approximately \$310,000.00 generated from fares, contract services, and advertising; and

2) Adopt Resolution #2024-135 authorizing the filing of the Fiscal Year 2025 Section 5311 Grant Application with the Department of Transportation, United States of America, and the Alabama Department of Transportation under the Federal Transit Act; and

3) Authorize the Chairman to sign the application documents.

**CE BUDGET/PURCHASING**

**CE1** Competitive Bid #WG24-29 - Purchase and Installation of One (1) New 30 kW Diesel Generator with 200 AMP Automated Transfer Switch for the Baldwin County Sheriff's Training Facility Located in Stapleton, Alabama, for the Baldwin County Commission [24-0910](#)

Take the following actions:

1) Reject the bid received for the Purchase and Installation of One (1) New 30 kW Diesel Generator with 200 AMP Automated Transfer Switch for the Baldwin County Sheriff's Training Facility located in Stapleton, Alabama; and

2) Authorize the Purchasing Director to re-bid the Purchase and Installation of One (1) New 30 kW Diesel Generator with 200 AMP Automated Transfer Switch and authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

**CE2** Competitive Bid #WG24-32 - Provision of Finished Road Signs for the Baldwin County Commission [24-0928](#)

Award Bid #WG24-32 to Vulcan, Inc. d/b/a Vulcan Signs for the Provision of Finished Road Signs per the Award Listing.

**CE3** Competitive Bid #WG24-34 - Provision of Paint Striping Materials for the Baldwin County Commission [24-0925](#)

Award Bid #WG24-34 for the Provision of Paint Striping Materials to the lowest bidders, Crown USA, Inc., Ennis-Flint, Inc., and PPG Architectural Finishes, Inc., per the Award Listing.

**CE4** Competitive Bid #WG24-36 - Provision of Bottled Water for the Baldwin County Commission [24-0923](#)

Award Bid #WG24-36 to the lowest bidder, Ladd Supply Co., Inc., for the Provision of Bottled Water per the Award Listing.

**CE5** Extension of Contract for Transportation Services of Human Remains for [24-0916](#)



Baldwin County Coroner

Extend the Contract for Transportation Services of Human Remains with Coastal Body Removal & Transportation, LLC, through July 18, 2025, at the same prices, terms and conditions as stated in the original contract award dated June 21, 2022. The contract extension will expire on July 18, 2025.

**CE6** Project No. HW22026 - Sherman Road Drainage Improvements for the Baldwin County Commission

[24-0911](#)

Award the bid for Project No. HW22026 - Sherman Road Drainage Improvements to the lowest bidder, McElhenney Construction Co., LLC, in the Bid Amount \$1,294,544.19; Construction Time: 150 working days; and authorize the Chairman to execute the Contract.

**CE7** Project No. HW24083 & HW24086 ALDOT Project No. IAR-002-000-010 & IAR-002-000-011 Novelis - Access Roads (Grade, Drain, Base, Pave & Traffic Signals) for the Baldwin County Commission

[24-0918](#)

Award the bid for Project No. HW24083 & HW24086 ALDOT Project No. IAR-002-000-010 & IAR-002-000-011 Novelis - Access Roads (Grade, Drain, Base, Pave & Traffic Signals) to the lowest bidder, Newell Roadbuilders, Inc., Bid Amount \$5,055,731.63; Construction Time: 540 Calendar Days; and authorize the Chairman to execute the Contract.

**CE8** Rental of Three (3) Copy Machines for Baldwin County Judge of Probate Office Located in Bay Minette, Alabama

[24-0902](#)

Approve and authorize the Chairman to execute the rental agreements with Sharp Electronics Corporation for the rental of three (3) new copy machines off the State of Alabama bid for thirty-six (36) months effective the date of execution as follows:

Location: Probate Records Department - Front Office - Bay Minette

Model: BP-70M36

Price: \$131.67/month

Excess Charge/copy: \$0.0055 BW

Location: Probate Records Department - Back Office - Bay Minette

Model: BP-70M36

Price: \$107.96/month

Excess Charge/copy: \$0.0055 BW

Location: Baldwin County Judge of Probate Office - Bay Minette

Model: BP-70C55

Price: \$203.55/month

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

**CE9** Rental of One (1) Copy Machine for Finance and Accounting Department [24-0903](#)  
Located in Bay Minette, Alabama

Approve and authorize the Chairman to execute the rental agreement with Sharp Electronics Corporation for the rental of one (1) new copy machine off the State of Alabama bid for thirty-six (36) months effective the date of execution as follows:

Location: Finance and Accounting Department - Bay Minette

Model: BP-70C65

Price: \$234.64/month

Excess Charge/copy: \$0.0054 BW; \$0.400 Color

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

**CH1** Computer Software Support Agreement and Addendum with Delta [24-0894](#)  
Computer Systems, Inc. for Building Inspection Department

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 \$299.58, effective October 1, 2024. This agreement shall remain in effect for one (1) year and automatically renew annually for up to three (3) years.

**CH2** Sale of Surplus Equipment on GovDeals.com [24-0922](#)

Authorize the sale of the following equipment from Communications and Information Systems (CIS) Department by online auction on GovDeals.com:

Lot 1: Cisco Telepresence Equipment

**CO HIGHWAY**

**CO1** Baldwin County Regional Juvenile Detention Center - Parking Lot Pothole [24-0912](#)  
Repair

Authorize the Highway Department to repair potholes located in the Baldwin County Regional Juvenile Detention Center parking lot at an estimated cost of \$959.00 for materials. The Baldwin County Regional Juvenile Detention Center will be invoiced the actual cost for materials upon completion of the project.

**CO2** Construction Engineering and Inspection Services for Sherman Road [24-0904](#)  
Bridge Replacement over Weeks Branch

Approve on-call consultant, Thompson Engineering, Inc., to perform Construction

Engineering and Inspection (CE&I) Services for the Sherman Road Bridge Replacement Project with CE&I fees not to exceed \$189,152.00.

**CO3** \*Rebuild Alabama - Baldwin County Fiscal Year 2024 Contractor Report [24-0924](#)

Approve the Chairman to execute the Fiscal Year 2024 County Rebuild Alabama Contractor Report for awarded projects funded with County Rebuild Alabama Funds.

**CR PERSONNEL**

**CR1** Animal Shelter - Employment of One (1) Office Assistant IV Position [24-0926](#)

Approve the employment of Nicholas August to fill the open Office Assistant IV position (#5526) at a grade 305 (\$15.75 per hour / \$32,760.00 annually) to be effective no sooner than July 22, 2024.

**CR2** CIS Department - Position Changes [24-0927](#)

Take the following actions:

- 1) Reclassify the Systems Support Specialist (#5727) from salary grade S316 to hourly grade 316; and
- 2) Change Timothy O'Brien, System Support Specialist (#5727), from grade S316 (57,033.60 annually) to grade 316 (\$27.42 per hour / \$57,033.60 annually); and
- 3) Reclassify the Software Developer I (#3068) from salary grade S313 to hourly grade 313; and
- 4) Change Mark Magallon, Software Developer I (#3068), from grade S313 (\$48,844.12) to grade 313 (\$23.48 per hour / \$48,844.12 annually); and
- 5) Approve the updated position descriptions for Systems Support Specialist and Software Developer I; and
- 6) Approve the updated organizational chart for the CIS Department.

These changes shall be effective July 15, 2024.

**CR3** Highway Department (Traffic Operations) - Lateral Transfer of Employee [24-0929](#)

Approve the lateral transfer of Keanna Knight from the Operator Technician II (Paving) position (#5385) grade 309 (\$18.64 per hour / \$38,771.30 annually) to fill the open Traffic Control Technician II (Sign) position (#5384) grade 309 with no change in salary, effective no sooner than July 29, 2024.

Take the following actions:

1) Approve the employment of Brittany Walston to fill the open Collections Switchboard Operator position (#8) grade 304 (\$15.00 per hour / \$31,200.00 annually) to be effective no sooner than July 22, 2024; and

2) Approve the promotion of Alexandria Lassitter from the Animal Control Technician position (#5720) grade 304 (\$15.00 per hour / \$31,200.00 annually) in the Animal Control Department (55410) to fill the open Collections Support Technician I position (#5577) grade 305 (\$16.20 per hour / \$33,696.00 annually) to be effective no sooner than July 29, 2024.

**GA GENERAL**

**GA1** Contract to Audit Federal Awards with State of Alabama Examiners of Public Accounts

Authorize the Chairman to execute a Contract to Audit Federal Awards with State of Alabama Examiners of Public Accounts.

A Resolution Authorizing Baldwin County, Alabama, to Join the State of Alabama and Other Local Governments as Participants in Current and Future Opioid Settlements Related to the Kroger Co.

David Conner, County legal counsel with Blackburn & Conner, P.C., discussed the proposed settlement with Kroger Co. related to the continuation of settlements from the national opioid litigation. Mr. Conner explained the item approves the settlement agreement with Kroger Co. and authorizes the Chairman to sign any and all documents related to the settlement.

Mr. Conner recommended the Commission to adopt Resolution #2024-145 which authorizes the Chairman to execute the settlement documents related to the Kroger Co. settlement.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to adopt Resolution #2024-145 authorizing Baldwin County, Alabama, to join the State of Alabama and other local governments as participants in current and future opioid settlements.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

## **D PRESENTATIONS**

Deputy Chief Anthony Lowery discussed the resources provided to the Sheriff's Office which allows different programs to be implemented, and introduced Lieutenant Kim Klos, who was recently recognized as the most innovative Corrections Officer in the nation.

Lieutenant Klos, Ms. Katrina Savage, Mental Health Therapist, and Ms. Krista Thronson, Coordinator of Intensive Services with Baldwin County AltaPointe Health Systems, were present and discussed the Stepping Up Initiative Program, range of services provided during jail intake and assessment including case management and continuation of care, and the Crisis Intervention Team program for law enforcement and first responders who respond to people in crisis with mental illness.

## **E PUBLIC HEARINGS**

### **ES PLANNING AND ZONING**

#### **ES1 Case No. Z24-15 - Swinson Property Rezoning**

[24-0907](#)

Buford King, Deputy Planning Director, provided background information on the subject property.

Chairman Underwood opened the public hearing at 10:36 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Underwood closed the public hearing at 10:37 a.m.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Matthew P. McKenzie, to adopt Resolution #2024-127, which approves Case No. Z24-15, Swinson Property Rezoning, as it pertains to the rezoning of approximately 3.96 acres, more or less, located in Planning (Zoning) District 12, from RSF-3, Residential Single-Family District to B-3, General Business District.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

#### **ES2 \*Case No. Z24-16 - Creekwood LLC Property Rezoning**

[24-0914](#)

Celena Boykin, Senior Planner, provided background information on the subject property.

Chairman Underwood opened the public hearing at 10:44 a.m. and asked if there is anyone present who wishes to speak.

The following individuals were present in opposition of the rezoning request and expressed their concerns regarding increased traffic and density:

Mr. George Wood, District 39 resident

Ms. Hayley Gregorious, Planning (Zoning) District 39 Advisory Committee member

The following individuals were present in favor of the rezoning request:

Ms. Cathy Barnette with Dewberry Engineers, Inc.

Ms. Barnette discussed the rezoning request and said she feels it is compatible and allowed based on the Planning District 39 provisions.

There being no further requests to address the Commission, Chairman Underwood closed the public hearing at 10:59 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to adopt Resolution #2024-128, which approves Case No. Z24-16, Creekwood LLC Property Rezoning, as it pertains to the rezoning of 16 acres, more or less, as located in Planning (Zoning) District 39, from RSF-3, Residential Single Family, to RSF-4, Residential Single Family.

The motion passed by the following vote:

**Aye:** 3 - James E. Ball, Billie Jo Underwood, and Charles F. Gruber

**Nay:** 1 - Matthew P. McKenzie

**Absent:** 0

**Abstain:** 0

## **F OTHER STAFF RECOMMENDATIONS**

None.

## **H PUBLIC COMMENTS**

Mr. Nate Lambert discussed the limitations of building on the Fort Morgan Peninsula due to the endangered beach mouse.

Discussion took place regarding the federal requirements related to development and protections of the endangered beach mouse on Fort Morgan Peninsula.

Frank Lundy, County Engineer, recommended Mr. Lambert meet with the Planning and Zoning staff regarding the development process.

## **I PRESS QUESTIONS**

None.

**J COMMISSIONER COMMENTS**

The Commissioners provided their closing comments.

**K ADJOURNMENT**

Motion by Commissioner James E. Ball to adjourn the July 16, 2024, Baldwin County Commission Regular meeting at 11:13 a.m.

The July 16, 2024, Baldwin County Commission Regular meeting adjourned at 11:13 a.m.