



Baldwin County Commission  
Work Session and Regular  
Meeting Minutes

Tuesday, September 17, 2024

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 Brad Hicks, County Attorney.

The Baldwin County Commission met for a work session (pre-Commission meeting) on September 17, 2024, at 8:30 a.m. in the Baldwin County Fairhope Satellite Courthouse, County Commission Meeting Chambers.

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

The Chairman called the meeting to order at 8:32 a.m. Following the Invocation by Commissioner McKenzie, the Pledge of Allegiance was led by Commissioner Gruber.

### **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.

**CA3** - Mr. Rendleman noted the Archives Department has requested to extend the Drive-thru Holiday Light Display at Baldwin County Bicentennial Park by two days.

It was decided to add December 22 and December 23, 2024, to the Drive-thru Holiday Light Display event.

**CE4** - Discussion took place regarding the Gulf of Mexico Energy Securities Act (GOMESA) Agreement being extended due to property acquisition needed in order to complete the grant agreement.

**CL1** - Terri Graham, CEO of The Solid Waste Disposal Authority of Baldwin County, AL, Inc. (SWDA), discussed the three-year agreements with the Alabama Department of Environmental Management for cleanup of discarded scrap tires and unauthorized dumping on county right-of-ways which help to offset the cost of litter patrol. Ms. Graham noted citizens can call SWDA to report illegal dumping.

**CN5** - Brian Underwood, Grants Director, explained Item CN5 is one of the last policy documents that the Commission is obligated to adopt in support of the CDBG-DR program and noted the program should be ready to implement in early January.

## **COMMISSIONER REQUESTS**

Commissioner Ball requested a resolution be drafted by the County Attorney to present to the Governor's Office regarding the overwhelming migrant issue in Baldwin County.

Chairman Underwood requested Mr. Hicks review the Open Meetings Act to determine if the Commissioners being present at the quarterly Department Head Meetings require an open advertised meeting.

Discussion took place regarding the Commissioners attending the Department Head Meetings, but not participating in the dialogue or deliberating on any issues, a recent Supreme Court decision stating if the public body is not deliberating, an open meeting is not necessary, Mr. Hicks checking for any new cases that have come out, attendance at Department Head Meetings being optional, and Commissioners considering a change and determining if they want to participate in the meetings.

## **SENIOR STAFF REPORTS**

### **GENERAL**

#### Fiscal Year 2025 Budget Presentation

[24-1143](#)

Beth Hodges, Budget Director, gave an overview of the FY 2025 Budget highlights including infrastructure improvements, environmental protection, renovations of the Central Annex facility in Robertsedale, employee relations, and public safety. Ms. Hodges presented a comparison of the FY 2024 and FY 2025 budgets.

Chairman Underwood discussed the increase in health insurance coverage for FY 2024, and the increase in employee healthcare coverage costs for FY 2025 being absorbed by the County.

Further discussion took place regarding the need to focus on public safety, particularly in unincorporated areas of Baldwin County, and implementing a

lodging tax, which would take legislative action to implement.

## **PUBLIC COMMENTS**

**24-1155**

Mr. Dennis Hutchison, resident of Gulf Shores, Alabama, provided the Commissioners letters from residents opposed to a proposed new development in Gulf Shores using Geno Road for access. Mr. Hutchison discussed his concerns regarding safety and increased traffic, and suggested an alternative access route for the development. Mr. Hutchison asked the Commission for its support.

Mr. Donald Fredrickson provided a map of The Cove subdivision development and discussed an alternate access route. Mr. Fredrickson requested the Commissioners speak to the Alabama Department of Transportation (ALDOT) on behalf of the property owner to allow them to connect to the new road being constructed by ALDOT.

Frank Lundy, County Engineer, clarified that the proposed development is inside the City of Gulf Shores and any alternate connection discussions would be between ALDOT and the City of Gulf Shores. Mr. Lundy noted the only involvement by the County Commission could be to transfer Geno Road to the City of Gulf Shores, but no official request has been received from the City at this time. Mr. Lundy said the Highway Department will continue to work with the City of Gulf Shores and the residents, but there is no action to be taken by the Commission at this time.

## **COUNTY ATTORNEY'S REPORT**

Brad Hicks, County Attorney, said there is one item for the Commissioners to discuss in an executive session.

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

Mr. Hicks recommended the Commission adjourn the meeting and convene in an executive session 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. Hicks said he is an attorney licensed to practice law in the State of Alabama and this exception is applicable to the planned discussion and the Work Session will not need to reconvene.

Motion by Commissioner McKenzie, seconded by Commissioner Ball, to adjourn into an executive session at 9:16 a.m. 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.

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

Chairman Underwood said the Work Session will not reconvene after the executive session.

The September 17, 2024, Baldwin County Commission Work Session Meeting adjourned at 9:16 a.m.

## **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 Brad Hicks, County Attorney.

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

The Chairman called the meeting to order at 10:01 a.m. Following the Invocation by Gavin Hunt with Celebration Church, Fairhope, and the Pledge of Allegiance led by Commissioner Ball, 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 September 3, 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

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to adopt the minutes of the September 9, 2024, Baldwin County Commission Special (Budget Deliberations) 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 [24-1094](#)

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 [24-1093](#)

No action taken.

## C CONSENT

Chairman Underwood noted the additional dates of December 22 and 23, 2024, have been added to Item CA3 related to the Drive-thru Holiday Light Display at Baldwin County Bicentennial Park.

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, to approve the Consent Agenda with the noted changes to Item CA3.

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 Amended Order Establishing Private Cemetery - Amending Boundary Lines for Propst Family Cemetery, Bay Minette, Baldwin County, Alabama [24-1015](#)

Memorialize for the record the Amended Order Establishing Private Cemetery (Case No.10,431) by the Baldwin County Judge of Probate, dated August 27, 2024, correcting the legal description and amending the boundary lines of the Propst Family Cemetery located at 45428 County Road 112, Bay Minette, Baldwin County, Alabama.

**CA2** City of Robertsdale - Annexation Notification

[24-1141](#)

Acknowledge and make part of the record the City of Robertsdale Ordinance No. 018-2024 annexing property into the corporate limits of the City of Robertsdale, Alabama.

**CA3** Rescinding Previous Commission Action Related to Christmas Extravaganza

[24-1144](#)

Related to the Christmas Extravaganza, rescind the following actions taken by the Baldwin County Commission during its July 2, 2024, Regular Meeting (Agenda Item FC1):

“1) Authorize staff to coordinate/promote/host the events including the Christmas Extravaganza at Baldwin County Bicentennial Park. The event is scheduled for Saturday, December 14, 2024, from 9:00 a.m. to 4:00 p.m., and will be free of charge to the public; and

2) Authorize staff to implement a vendor fee of \$50 for vendors wishing to set up and sell products/goods at the Christmas Extravaganza; and

4) Approve the festival flyer and vendor applications.”

and

Approve the extension of the Drive-thru Holiday Light Display to be held at Baldwin County Bicentennial Park by adding December 22 and December 23, 2024.

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

**CD1** Extension and Amendment of Contract for Professional Services with Via Mobility, LLC for Provision of Transit Scheduling/Dispatching Software Services

[24-1142](#)

Approve an Extension and Amendment of the Contract for Professional Services between the Baldwin County Commission and Via Mobility, LLC for the provision of innovative micro-transit on-demand software services.

The term of said contract shall commence October 1, 2024, and shall terminate upon the expiration of twelve (12) months. The fee will remain \$14,500.00 monthly.

**CD2** Federal Transit Administration Grant Award Amendment No. 1 for FY 2023  
Section 5307 Loxley Transit Hub

[24-1084](#)

As related to the FY 2023 Section 5307 Capital and Operating Assistance, Daphne-Fairhope, AL UZA take the following actions:

- 1) Accept the Grant Agreement Amendment No. 1 identified as Federal Award Identification Number: AL-2022-021-01 in the amount of \$200,000.00 in Federal Funding; and
- 2) Authorize the Chairman to execute the Grant Agreement Amendment No. 1 with the U.S. Department of Transportation, Federal Transit Administration; and
- 3) Authorize the Director of Transportation to execute the award electronically through the required web-based portal “Transit Award Management System” (TrAMS) using a personal identification number on behalf of the Baldwin County Commission.

The agreement shall be effective September 1, 2022, and shall terminate March 30, 2029.

**CD3** Federal Transit Administration Grant Award for FY 2025 Section 5307  
ARPA Funds

[24-1082](#)

As related to the FY 2025 Section 5307 ARPA Operating Assistance Grant Program:

- 1) Accept the Grant Agreement identified as Federal Award Identification Number: AL-2024-015-00 in the amount of \$60,770.00 in Federal Funding; and
- 2) Authorize the Chairman to execute the Grant Agreement with the U.S. Department of Transportation, Federal Transit Administration; and
- 3) Authorize the Director of Transportation to execute the award electronically through the required web-based portal “Transit Award Management System” (TrAMS) using a personal identification number on behalf of the Baldwin County Commission.

The Agreement shall be effective July 18, 2024, and shall terminate March 30, 2031.

**CD4** Federal Transit Administration Grant Award for FY 2025 Section 5307 /  
5339 Funds Apportioned to Fairhope-Daphne, Alabama Urbanized Area

[24-1078](#)

As related to the FY 2025 Section 5307 / 5339 Urban Transportation Grant Program, take the following actions:

- 1) Accept the Grant Agreement identified as Federal Award Identification Number: AL 2024-022-00 in the amount of \$1,066,000.00 in Federal Funding; and





Approve Change Order #1 in the amount of \$71,252.82 with Blade Construction, LLC, for Project No. HW21092000 Culvert Replacement on Davis Road over Baker Branch and authorize the Chairman to execute the Change Order.

**CE7** Project No. HW21103000 - The Launch at County Road 6 for the Baldwin County Commission [24-1101](#)

Approve Change Order #1 in the amount of \$99,413.16 with McElhenney Construction Company, LLC, for Project No. HW21103000 - The Launch at County Road 6 and authorize the Chairman to execute the Change Order.

**CE8** Project No. HW21179000 - Surfside Drive Drainage Improvements for the Baldwin County Commission [24-1104](#)

Award the bid for Project No. HW21179000 - Surfside Drive Drainage Improvements to the lowest bidder, Parten Smith, Inc., in the Bid Amount \$2,700,000.00; Construction Time: 175 working days; and authorize the Chairman to execute the Contract.

**CE9** Project No. HW23087 - Drainage Improvements Main Street South of Forest Park Drive, Montrose District, for the Baldwin County Commission [24-1126](#)

Approve Change Order #1 in the amount of \$18,367.42 with McElhenney Construction Co., LLC, for Project No. HW23087 - Improvements Main Street South of Forest Park Drive, Montrose District, and authorize the Chairman to execute the Change Order.

**CE10** Resolution #2024-160 - Budget Amendment for Remodel of Office Space, Oak Street Building [24-1085](#)

Adopt Resolution #2024-160 amending the fiscal year 2024 Budget (Resolution #2023-186 and Resolution #2023-187, adopted on September 28, 2023) in order to allocate funds to add a Commission requested generator to the Bay Minette - Oak Street building.

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

**CH1** Management Control Agreement with Baldwin County Emergency Communication District for Administration of Computer Systems and Network Infrastructure [24-1109](#)

Approve and authorize Chairman to execute the Management Control Agreement between the Baldwin County Commission and Baldwin County Emergency Communication District for the administration of computer systems and network infrastructure which interfaces with the Alabama Criminal Justice Information Center (ACJIC) network.

The term of the Agreement shall be from the date of full execution and will continue until terminated by either party with a thirty (30) day written notice.

**CH2** Management Control Agreement with Baldwin County Sheriff's Office for Administration of Computer Systems and Network Infrastructure

[24-1088](#)

Take the following actions:

- 1) Terminate the Management Control Agreement effective September 17, 2024, between the Baldwin County Commission and the Baldwin County Sheriff's Office approved during the May 16, 2023, Baldwin County Regular Meeting (Agenda Item CH2); and
- 2) Approve and authorize Chairman to execute the Management Control Agreement between the Baldwin County Commission and Baldwin County Sheriff's Office for the administration of computer systems and network infrastructure which interfaces with the Alabama Criminal Justice Information Center (ACJIC) network.

The term of the Agreement shall be from the date of full execution and will continue until terminated by either party with a thirty (30) day written notice.

**CH3** Sale of Surplus Equipment on GovDeals.com

[24-1090](#)

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

Lot 1: One (1) - HP ProLiant DL380P Gen 9 Server

**CJ** **ELECTED OFFICIALS**

**CJ1** Coroner's Office - Extension of Memorandums of Understanding with Hughes Funeral Home and Mack Funeral Home

[24-1079](#)

As related to the Memorandums of Understanding between the Baldwin County Commission and Hughes and Mack Funeral Homes approved on September 20, 2022, take the following actions:

- 1) Approve the extension of the Memorandum of Understanding between the Baldwin County Commission (Coroner's Office) and Hughes Funeral Home to provide for storage of bodies during a mass fatality or due to mechanical issues that could result in decomposition of persons; and
- 2) Approve the extension of the Memorandum of Understanding between the Baldwin County Commission (Coroner's Office) and Mack Funeral Home to provide for storage of bodies during a mass fatality or due to mechanical issues that could result in decomposition of persons.

The terms of the extension for each Memorandum of Understanding shall commence on October 1, 2024, and terminate on October 1, 2025.

**CJ2** Sheriff's Office - Memorandums of Understanding for School Resource Officer Program at Baldwin County Public Schools

[24-1095](#)

Approve the Memorandums of Understanding (MOU) between the Baldwin County Commission, Baldwin County Sheriff's Office, and the following municipalities/police departments in Baldwin County, Alabama, outlining the purpose, goals, objectives and procedures for the administration of the School Resource Officer (SRO) Program within each respective municipality:

City of Bay Minette  
City of Daphne  
Town of Elberta  
City of Fairhope  
City of Foley  
City of Loxley  
City of Robertsedale  
Town of Silverhill  
City of Spanish Fort  
Town of Summerdale

Each MOU shall be effective August 8, 2024, and shall remain in effect for a period of one (1) year from the effective date, unless any party elects to terminate the MOU by giving a 180-day written notice of such termination by other parties.

**CJ3** Sheriff's Office - Tri-Party Agreement for Housing of Prisoners at Baldwin County Corrections Center for City of Bay Minette, Alabama

[24-1099](#)

Approve the Tri-Party Intergovernmental Service Agreement between the Baldwin County Commission, Baldwin County Sheriff's Office, and the City of Bay Minette for housing of City of Bay Minette inmates at the Baldwin County Corrections Center.

The Agreement will commence on October 1, 2024, and terminate on September 30, 2025, or upon written notification of termination by either party within the required sixty (60) days.

**CJ4** Sheriff's Office - Tri-Party Agreement for Housing of Prisoners at Baldwin County Corrections Center for City of Loxley, Alabama

[24-1100](#)

Approve the Tri-Party Intergovernmental Service Agreement between the Baldwin County Commission, Baldwin County Sheriff's Office, and the City of Loxley, for housing of City of Loxley inmates at the Baldwin County Corrections Center.

The Agreement will commence on October 1, 2024, and terminate on September 30, 2025, or upon written notification of termination by either party within the required sixty (60) days.

**CK EMERGENCY MANAGEMENT AGENCY (EMA)**

**CK1 Certified Local Emergency Manager Salary Supplement Subaward**

[24-1103](#)

Take the following actions:

- 1) Approve the Certified Local Emergency Manager Salary Supplement Subaward in the amount of \$17,000.00 from the Alabama Emergency Management Agency; and
- 2) Authorize Chairman to execute the Certified Local Emergency Manager Salary Supplement Subaward Agreement and any related documents.

The period of performance for this grant is October 1, 2023, to September 30, 2024.

**CL ENVIRONMENTAL MANAGEMENT**

**CL1 Contractual Agreement with Alabama Department of Environmental Management for Right-of-Way Litter and Scrap Tire Cleanup**

[24-1110](#)

Take the following actions:

Authorize Chairman to execute the Contractual Agreement between Baldwin County Commission and the Alabama Department of Environmental Management (ADEM), commencing on the date of execution and terminating September 30, 2027, for the collection of discarded scrap tires and any associated regulated solid waste from the right-of-way locations within Baldwin County, more fully described in Attachment "A", Scope of Services, including:

- 1) Collect discarded scrap tires from right-of-way locations in Baldwin County; and
- 2) Manage the discarded scrap tires and/or regulated solid waste in an appropriate manner until disposal; and
- 3) Either properly transport and dispose of the collected or discarded scrap tires and associated regulated solid waste in an approved disposal facility or properly transport and offer for beneficial use the collected scrap tire material or associated regulated solid waste to a department-approved facility; and
- 4) Conduct site restoration/closure activities, if necessary, to minimize erosion for areas where soils have been disturbed by heavy machinery; and
- 5) Submit to ADEM documentation for disposal or offerings for beneficial use for all

collected material (i.e. landfill disposal receipts, end-user agreements/manifests).

**CM FINANCE AND ACCOUNTING**

**CM1** Resolution #2024-161 - Association of County Commissions of Alabama Liability Self-Insurance Fund, Inc. Longevity Bonus and Fund Participation [24-1086](#)

Related to the Association of County Commissions of Alabama (ACCA) Liability Self-Insurance Fund Member Longevity Bonus, take the following actions:

1) Adopt and authorize Chairman to execute Resolution #2024-161 for the 2027 Longevity Bonus, agreeing to Baldwin County's continued participation in the Liability Fund through at least September 30, 2027; and

2) Authorize Chairman to execute any related correspondence and/or instruments.

**CN GRANTS**

**CN1** Allocation of ARPA Funds for Competitive Bid Publication Expense Concerning the Baldwin County Courthouse Queuing Structure Project [24-1122](#)

Approve and authorize staff to pay Gulf Coast Media for the Competitive Bid Publication Notice expense for the construction of the Baldwin County Courthouse Queuing Structure Project in the amount of \$783.05 in ARPA funds.

**CN2** Allocation of ARPA Revenue Replacement Funds for Competitive Bid Publication Expense Concerning the Baldwin County Courthouse Sally Port Project [24-1125](#)

Approve and authorize staff to pay Gulf Coast Media for the Competitive Bid Publication Notice expense for the construction of the Baldwin County Courthouse Sally Port Project in the amount of \$773.69 in ARPA Revenue Replacement funds.

**CN3** Amendment No. 1 to Subrecipient Agreement Number DR-21-001 with Alabama Department of Economic and Community Affairs [24-1111](#)

Approve Amendment No. 1 to Subrecipient Agreement Number DR-21-001 between the Baldwin County Commission and the State of Alabama, Alabama Department of Economic and Community Affairs (ADECA), addressing recovery from Hurricanes Sally and Zeta, including unmet housing, infrastructure, economic development, mitigation, and other eligible unmet needs, as described in the Baldwin County Commission's approved Local Recovery Plan (LRP).

**CN4** Extension of Professional Services Agreement with LaBella Associates, D.P.C. for Ventilation System Improvements in Foley Satellite Courthouse [24-1102](#)



## **CR PERSONNEL**

### **CR1 Approval of Position Descriptions**

**24-1120**

Approve the following to coincide with the approval of the FY2024-2025 Budget changes:

- 1) Position descriptions for BRATS Fleet and Driver Manager, Customer Service Representative I (BRATS), Customer Service Representative II (BRATS), and Grants Technician; and
- 2) Position description for Buyer IV; and
- 3) Position description for Community Rating System (CRS) Coordinator; and
- 4) Position description for Information Security Analyst; and
- 5) Position descriptions for Customer Service Representative I (CSC), Customer Service Representative II (CSC), Assistant Customer Relationship Manager; and
- 6) Position descriptions for Morgue/Lab Technician, Death Investigator I, Coroner Executive Assistant, and Administrative Support Specialist II (Coroner); and
- 7) Position descriptions for Government Relations Director and Public Information and Communications Specialist; and
- 8) Position description for the Senior Grants Accountant; and
- 9) Position descriptions for the Fleet Manager, Fleet Specialist, GIS Coordinator, Herbicide/Safety Trainer, MPO Transportation Planner, Project Coordinator (Hwy), Right-of-Way Manager, Right-of-Way Mapping Coordinator, and Right-of-Way Research Coordinator; and
- 10) Position descriptions for the Engineering Technician I (PZ), Project Coordinator (PZ), and Senior Natural Resource Planner; and
- 11) Position descriptions for the Administrator of Motor Vehicles, Tags, and Licenses, Probate Customer Service Specialist II, and Probate Training Coordinator; and
- 12) Position descriptions for Assessment Specialist I, Assessment Specialist II, Assessment Technician I, Assessment Technician II, Collections Bookkeeper I, Collections Bookkeeper II, Collections Specialist I, Collections Specialist II, Collections Technician I, Collections Technician II, and Collections Switchboard Operator.
- 13) Position descriptions for Commercial Appraiser, Mapping Supervisor, Personal Property Appraiser I, Personal Property Appraiser II, Personal Property Appraiser III,

Personal Property Appraiser Trainee, Real Property Analyst I, Real Property Analyst II, Real Property Appraisal Specialist I, Real Property Appraisal Specialist II, Real Property Appraiser I, Real Property Appraiser II, and Real Property Appraiser Trainee; and

14) Updated organizational charts for BRATS, Budgeting and Purchasing, Building Inspections, CIS, Citizen Service Center, Commission Administration, Council on Aging, Grants, Highway, JDC, Parks, Planning and Zoning, Probate, and Revenue Commission.

**CR2** Board of Registrars - Employment of One (1) Administrative Support Specialist I Position

[24-1113](#)

Approve the employment of Teresa Ellison to fill the open Administrative Support Specialist I position (PID #5535) grade 306 (\$16.54 per hour / \$34,403.20 annually) to be effective no sooner than September 23, 2024.

**CR3** BRATS - Personnel Changes

[24-1114](#)

Take the following actions:

1) Approve the employment of Toni Ogden to fill the open part-time Bus Driver position (#30) grade 305 (\$15.75 per hour / \$23,751.00 annually); and

2) Approve the employment of Michael Webb to fill the open part-time Bus Driver position (#06) grade 305 (\$15.75 per hour / \$23,751.00 annually); and

3) Approve the employment of William Singleton to fill the open full-time Bus Driver position (#399) grade 305 (\$15.75 per hour / \$32,760.00 annually); and

4) Approve the employment of April Daniels to fill the open full-time Bus Driver position (#537) grade 305 (\$15.75 per hour / \$32,760.00 annually); and

5) Approve the lateral transfer of James McGowin from the part-time Bus Driver position (#02) grade 305 (\$15.75 per hour / \$23,751.00 annually) to fill the open full-time Bus Driver position (#314) grade 305 (\$15.75 per hour / \$32,760.00 annually); and

6) Approve the voluntary demotion of Robert Taylor Todd from the Traffic Control Technician II (Sign Option) position (#503) grade 309 (18.64 per hour / \$38,771.20 annually) in the Highway Traffic Operations Department (53135) to fill the open full-time Bus Driver position (#573) grade 305 (17.71 per hour / \$36,836.80 annually).

These actions shall be effective no sooner than September 23, 2024.

**CR4** CIS Department - Employment of One (1) Communications Technician II Position

[24-1115](#)

Approve the employment of Paul Pugh to fill the open Communications Technician II position (#5674) at a grade 311 (\$20.94 per hour / \$43,555.20 annually) to be effective no sooner than September 23, 2024.

**CR5** Commission Administration - Employment of One (1) General Services Manager Position [24-1112](#)

Approve the employment of Jarrod Cunningham to fill the open General Services Manager position (#5774) grade S316 (\$66,500.00 annually) to be effective no sooner than September 23, 2024.

**CR6** Highway Department (Foley) - Employment of One (1) Operator Technician I Position [24-1116](#)

Approve the employment of Archie Flowers to fill the vacant Operator Technician I position (#5433) at a grade 308 (\$17.74 per hour / \$36,899.20 annually) effective no sooner than September 23, 2024.

**CR7** Highway Department (Maintenance) - Promotion of Employee [24-1117](#)

Approve the promotion of Chandler Tolbert from the Engineering Technician I position (#3048) grade 310 (\$21.19 per hour / \$44,075.20 annually) to fill the open Engineering Technician III position (#5180) grade 312 (\$22.89 per hour / \$47,611.20 annually) to be effective no sooner than September 23, 2024.

**CR8** Parks Department - Employment of One (1) Landscape Technician I Position [24-1118](#)

Approve the employment of Jason Coleman to fill the open Landscape Technician I position (#5736) at a grade 306 (\$16.54 per hour / \$34,403.20 annually) to be effective no sooner than September 23, 2024.

**CR9** Health and Dental Insurance Rates for 2025 [24-1123](#)

Approve the Health and Dental Insurance rates for 2025 to coincide with the Baldwin County Employee Health and Wellness Incentive Program Policy.

**CR10** Safety Incentive Discount Program for ACCA Self-Insurance Fund [24-1121](#)

Authorize the Chairman of the Baldwin County Commission to sign the Safety Incentive Discount Program Application.

**CR11** Planning and Zoning - Promotion of Employee [24-1119](#)

Approve the promotion of Shelby Coulson from the Assessment Support Technician I position (#5338) grade 305 (\$16.38 per hour / \$34,070.40 annually) from the Revenue Commission (51600) to fill the open Planning Technician Trainee position (#5661) grade 308 (\$17.74 per hour / \$36,899.20 annually), to be effective no sooner than September 23, 2024.

**CR12** Probate Office - Employment of One (1) Probate License Revenue Officer I Position

[24-1130](#)

Approve the employment of Shelby Taylor to fill the open Probate License Revenue Officer I position (#2092) grade 306 (\$16.54 per hour / \$34,403.20 annually) to be effective no sooner than September 23, 2024.

**CS PLANNING AND ZONING**

**CS1** Baldwin County Planning and Zoning Commission - Resignation and Board Appointment

[24-1137](#)

As it relates to the Baldwin County Planning and Zoning Commission, take the following actions:

1) Thank Mr. Jason Padgett for his civic service, as a regular member of the Board (BCC District 1 nominee), upon his voluntary resignation from the Board on September 4, 2024; and

2) Appoint Mr. Scott Shamburger as a regular member of the Board (BCC District 1 nominee) for the remainder of Mr. Padgett's term which will expire on July 17, 2026.

**D PRESENTATIONS**

**E PUBLIC HEARINGS**

**EO HIGHWAY**

**EO1** Case No. VAC-24-2 - Vacation of a 40' Unopened, Unimproved Right-of-Way Known as Lincoln Street

[24-1107](#)

Mark Acreman, Assistant County Engineer, provided background information on the subject property.

Chairman Underwood opened the public hearing at 10:06 a.m. and asked if there is anyone present who wishes to speak.

Mr. Stephen Soto de Mayor, property owner, said he is in favor of the request to vacate the right-of-way.

There being no further requests to address the Commission, Chairman

Underwood closed the public hearing at 10:07 a.m.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Matthew P. McKenzie, to take the following actions:

1) Approve the request from David Peleschak, Nicholas W. Manning, Maria Manning, Mickey D. Ezell, Betsy L. Dozier, Stephen Joseph Soto De Mayor, Phyllis Pace, Carole Jane Allen Austinson as the Personal Representative for the Estate of William Reid Allen, Jr., deceased, and Janice L. Childress to vacate a 40' unopened, unimproved right-of-way known as Lincoln Street; and

2) Adopt Resolution #2024-152 which approves the vacation in accordance with Section 23-4-2 and Section 23-4-20 of the Code of Alabama 1975.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**EO2** Case No. VAC-24-3 - Vacation of an Approximate 20' Unopened, Unimproved Alley from Turpin Lane aka Oak Road to Haddow Avenue

[24-1133](#)

Mark Acreman, Assistant County Engineer, provided background on the subject property.

Chairman Underwood opened the public hearing at 10:09 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 10:09 a.m.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to take the following actions:

1) Approve the request from David Peleschak, Carole Jane Allen Austinson as the Personal Representative for the Estate of William Reid Allen, Jr., deceased, Mickey D. Ezell, Betsy Dozier, Stephen Joseph Soto De Mayor and Phyllis Pace to vacate an approximate 20' unopened, unimproved alley from Turpin Lane aka Oak Road to Haddow Avenue; and

2) Adopt Resolution #2024-153 which approves the vacation in accordance with Section 23-4-2 and Section 23-4-20 of the Code of Alabama 1975.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

## **ES PLANNING AND ZONING**

**ES1** Case No. Z24-19 - Fincher Property Rezoning

[24-1096](#)

Cory Rhodes, Planner, provided background information on the subject property.

Chairman Underwood opened the public hearing at 10:12 a.m. and asked if there is anyone present who wishes to speak.

The following individual(s) were present in favor of the rezoning request:

Mr. Dwayne Smith with Anchor Engineering, DBG  
Mr. Charlie Fincher, property owner

Mr. Smith discussed plans for a secondary access to the subdivision and tying into Lake View Subdivision.

Mr. Fincher discussed the decision to sell the property to improve the area and allow young families to come into the area.

The following individual(s) were present in opposition of the rezoning request and expressed their concerns:

Mr. Ray Moore

Mr. Moore's primary concerns were the number of subdivisions near his property, the impact to existing infrastructure, increased traffic, and access to State Highway 59.

There being no further requests to address the Commission, Chairman Underwood closed the public hearing at 10:20 a.m.

Chairman Underwood noted this is strictly a rezoning request. The subdivision process is done separately.

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner James E. Ball, to adopt Resolution #2024-139, which approves Case No. Z24-19, Fincher Property Rezoning, as it pertains to the rezoning of approximately 45.30+/- acres, more or less, located in Planning (Zoning) District 12, from RSF-3, Residential Single-Family District to

RSF-4, Residential Single-Family 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. Z24-26 - Johnson Property Rezoning

[24-1087](#)

Cory Rhodes, Planner, provided background information on the subject property.

Chairman Underwood opened the public hearing at 10:24 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 10:24 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to adopt Resolution #2024-163, which approves Case No. Z24-26, Johnson Property Rezoning, as it pertains to the rezoning of 0.40 acres, more or less, as located in Planning (Zoning) District 35, from RSF-1, Residential Single Family District, to RR, Rural 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

**ES3** Case No. Z24-30 - Childress Property Rezoning

[24-1097](#)

Cory Rhodes, Planner, provided background information on the subject property.

Chairman Underwood opened the public hearing at 10:26 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 10:27 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, to adopt Resolution #2024-165, which approves Case No. Z24-30, Childress Property Rezoning, as it pertains to the rezoning of approximately 8.8 acres, more or

less, located in Planning (Zoning) District 12, from RSF-3, Residential Single-Family District to RSF-4, Residential Single Family.

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

**ES4** Case No. Z24-13 - Bailey Agriculture Development Property Rezoning [24-1127](#)

and

**ES5** Case No. PRD24-01 - Sailor's Landing Planned Residential Development Site Plan [24-1129](#)

Celena Boykin, Senior Planner, noted the staff report includes Case No. Z24-13 (Item ES4) and PRD24-01 (Item ES5) and the Commission can vote separately on each case or make one motion for both cases. Ms. Boykin provided background information on the subject property.

Jay Dickson, Planning Director, discussed the request from an adjacent property owner to increase the buffer from 20 feet to 40 feet.

The developer was present and agreed to add the additional buffer.

Chairman Underwood opened the public hearing for Case No. Z24-13 and Case No. PRD24-01 at 10:33 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 10:34 a.m.

It was decided to vote on both cases simultaneously, with the additional condition of increasing the buffer from 20 feet to 40 feet.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Matthew P. McKenzie, to adopt Resolution #2024-162, which approves Case No. Z24-13, Bailey Agriculture Development Property Rezoning, as it pertains to the rezoning of 134 acres, more or less, as located in Planning (Zoning) District 22, from RA, Rural Agriculture, to RSF-2, Residential Single Family District; and adopt Resolution #2024-166, which approves Case No. PRD24-01, Sailor's Landing, as it pertains to the Planned Residential Development (PRD) Site Plan approval with all of the conditions set forth in the resolutions.

After the motion and second, and before the vote, Chairman Underwood noted the current site plan is an improvement over the previous site plan submitted. Chairman Underwood thanked the developer for making this a better quality development.

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

**ES6** Case No. Z24-29 - McCraney Property Rezoning [24-1131](#)

and

**ES7** Case No. PRD24-06 - Bear Creek Planned Residential Development Site Plan [24-1132](#)

Celena Boykin, Senior Planner, noted the staff report includes Case No. Z24-29 (Item ES6) and Case No. PRD24-06 (Item ES7). Ms. Boykin provided background information on the subject property.

Chairman Underwood opened the public hearing for Case No. Z24-29 and Case No. PRD24-06 at 10:42 a.m. and asked if there is anyone present who wishes to speak.

Mr. Dwayne Smith with Anchor Engineering presented a plat of the proposed subdivision and discussed the buffers, overall drainage of the property, and the amenities being easily accessible.

Discussion took place regarding the developer working with staff to incorporate an unused portion of the property to be useable area and adding a 20 foot buffer to allow better access.

Ms. Allie Doyle was present in opposition of the rezoning request and expressed her concerns regarding emergency access, erosion, and the agricultural area being maintained.

Further discussion took place regarding requests or conditions that can be added to a Planned Residential Development and the developer working with the Baldwin County Board of Education (BCBE) regarding adding a school bus stop.

There being no further requests to address the Commission, Chairman Underwood closed the public hearing at 10:53 a.m.

Chairman Underwood asked staff to address the drainage concerns.

Jay Dickson, Planning Director, explained if the PRD is approved, the technical reviews for traffic and drainage will follow the subdivision plat being submitted. Mr. Dickson further explained there was a recommendation by the Planning and Zoning Commission to put in a cut through road which would improve traffic circulation and emergency response access, and further activate open spaces to be more useable.

Chairman Underwood noted the motion needs to include the request to work with staff to add a cut through road, utilize the open space so that the unaccessible area may have some access, and work with the BCBE to add a school bus stop within the subdivision.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to adopt Resolution #2024-164, which approves Case No. Z24-29, McCraney Property Rezoning, as it pertains to the rezoning of 59 acres, more or less, as located in Planning (Zoning) District 22, from RA, Rural Agriculture, to RSF-2, Residential Single Family District; and adopt Resolution #2024-167, which approves Case No. PRD24-06, Bear Creek, as it pertains to the Planned Residential Development (PRD) Site Plan approval with the conditions set forth as listed in the resolutions.

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** Resolution #2024-170 Expressing Solidarity with Israel in its Defense Against Terrorism in the Gaza Strip [24-1140](#)

Chairman Underwood read Resolution #2024-170 and discussed Alabama's role in supporting Israel.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to adopt Resolution #2024-170 expressing solidarity with Israel in its defense against terrorism in the Gaza strip.

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

**FE BUDGET/PURCHASING**

**FE1** Adoption of the Baldwin County Fiscal Year 2024-2025 Budget

[24-1052](#)

Chairman Underwood noted each Resolution is to be voted on separately and in the order indicated in the staff recommendation.

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, to adopt Resolution #2024-158 of the Baldwin County Commission, which, pursuant to Amendment No. 772 to the Constitution of Alabama 1901 and related to the promotion of local economic and industrial development, provides for respective determinations by the Baldwin County Commission that a variety of expenditures of public funds, as relates to a myriad of appropriations authorized by the Baldwin County Fiscal Year 2024-2025 Budget, will respectively, serve valid and sufficient public purposes.

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 Matthew P. McKenzie, to adopt Resolution #2024-159 of the Baldwin County Commission which adopts the Baldwin County Fiscal Year 2024-2025 Budget and approve the Decision Item Lists that correlate with Resolution #2024-159.

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

**FE2** Appropriation Agreements Aligned to the Baldwin County Fiscal Year 2024-2025 Budget

[24-1049](#)

Chairman Underwood noted all agreements may be approved with one vote.

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner James E. Ball, as related to, and as authorized by, the Baldwin County Fiscal Year 2024-2025 Budget (Resolution #2024-158; Resolution #2024-159), to execute Agreements with the below indicated entities to appropriate County funds for activities benefiting a myriad of public purposes as set forth within each Agreement, respectively, said entities as follows:

- 1) Adams and Reese, LLP (not to exceed \$72,000.00)
- 2) Alabama Extension Service/Alabama Cooperative Extension System (\$53,854.00)
- 3) Baldwin County Economic Development Alliance, Inc. (\$440,000.00)
- 4) Baldwin County Soil and Water Conservation District (\$75,500.00)
- 5) Baldwin Pops (\$1,000.00)
- 6) Bay Minette Rotary Club (\$500.00)
- 7) Kimberly H. Adams, P.C. (\$60,000.00)
- 8) Mobile Bay Area Veterans Day Commission (\$1,000.00)
- 9) Mobile Bay National Estuary Program (\$75,000.00)
- 10) North Baldwin Animal Shelter, Inc. (\$10,000.00)
- 11) Quilts of Valor (\$1,000.00)
- 12) Southwest Alabama Workforce Development Council (\$10,000.00)
- 13) USS Alabama Battleship Commission (\$10,000.00)
- 14) Van Scoyoc Associates, Inc. (not to exceed \$114,000.00)

The term, respectively, of each Agreement shall commence October 1, 2024, and expire September 30, 2025, and may be terminated per the parameters as set forth therein, respectively.

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

**FE3** Resolution #2024-157 - Appropriation of Commission Discretionary Funds for the USS Alabama Battleship Commission [24-1051](#)

Chairman Underwood noted Item FE3 is not included with the other appropriations due to the funds coming from a separate fund.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Matthew P. McKenzie, to adopt Resolution #2024-157 of the Baldwin County Commission, which appropriates \$10,000.00 from the "Commission Discretionary Fund," in the Baldwin County Fiscal Year 2024-2025 Budget, to the USS Alabama Battleship Commission.

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 ADDENDA**

None.

## **H PUBLIC COMMENTS**

Mr. Ray Moore discussed the Baldwin County Board of Education (BCBE) proceedings, the importance of the Commissioners communicating with the BCBE, advertisements for Planning and Zoning rezoning cases, and the Commissioners reviewing Baldwin County Planning and Zoning Commission meeting minutes.

Chairman Underwood noted the Commission has no authority over the BCBE.

## **I PRESS QUESTIONS**

Erica Thomas with 1819 News addressed the Commission regarding concerns from citizens due to the influx of migrants in Baldwin County and the impact on Baldwin County classrooms, the Commissioners' stance on the recent request from Fairhope Councilman Cory Martin to help locals resettle refugees in Baldwin County, the infrastructure of the county being able to handle an influx of migrants, and if any discussions have been had with Sheriff Lowery regarding this issue and citizens being able to report concerns of possible human trafficking in Baldwin County.

Discussion took place regarding the role of law enforcement regarding immigration, concerns regarding English being taught as a second language taking time away from other students, the Commissioners not being in support of housing refugees, and infrastructure and increasing capacity on county roads being addressed as the #1 strategic goal.

Chairman Underwood said the Commission supports the law enforcement community, and discussed bills passed by State representatives and non-profit organizations stepping up to aid in reporting and addressing human trafficking.

## **J COMMISSIONER COMMENTS**

The Commissioners provided their closing comments.

Commissioner Ball noted his request made during the Work Session meeting regarding a resolution requesting assistance from the State regarding the influx of immigrants to Baldwin County will be forthcoming to the next Commission meeting.

## **K ADJOURNMENT**

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, to adjourn the September 17, 2024, Baldwin County Commission Regular Meeting at 11:25 a.m.

The September 17, 2024, Baldwin County Commission Regular Meeting adjourned at 11:25 a.m.

A handwritten signature in black ink that reads "Billie Jo Underwood". The signature is written in a cursive, flowing style.