

Baldwin County Commission

**Baldwin County Commission Regular
Meeting Minutes
Tuesday, May 16, 2023
8:30 AM**



**Baldwin County Fairhope Satellite Courthouse
County Commission Meeting Chambers
2nd Floor
1100 Fairhope Avenue
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.

WELCOME BY CHAIRMAN, INVOCATION AND PLEDGE OF ALLEGIANCE

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, and Laura Coker, County Attorney.

The Chairman called the meeting to order at 8:31 a.m. After the invocation led by Bill Stephens, Chaplain for Alabama Law Enforcement Agency, Mobile Trooper Post, and the Pledge of Allegiance led by Sheriff Huey Hoss Mack, the Commission transacted the following business to-wit:

A ADOPTION OF MINUTES

April 26, 2023, Special Meeting (Administrator, Engineer, Budget Positions)

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, to adopt the minutes of the April 26, 2023, Special Meeting (Administrator, Engineer, Budget Positions).

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

May 2, 2023, Regular Meeting

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to adopt the minutes of the May 2, 2023, Regular Meeting.

No vote was taken.

B COMMITTEE REPORTS

BA FINANCE/ADMINISTRATION DIVISION

BA1 Payment of Bills

[23-1107](#)

Motion by Commissioner Billie Jo Underwood, 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

[23-1106](#)

No action taken.

C CONSENT

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, to approve the Consent Agenda including Replacement Item CA5.

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 Absentee Election Duties Related to the Baldwin County Planning (Zoning) District 14 Zoning Election on June 6, 2023

[23-1149](#)

Related to the Baldwin County Planning (Zoning) District 14 Zoning Election on June 6, 2023, take the following action:

Pursuant to Section 17-11-2 of the Code of Alabama (1975), recognize the performance at and designate the place / office where the Absentee Election Manager shall perform such public duties for the applicable absentee election time period recognized by state law for the June 6, 2023, Baldwin County Planning (Zoning) District 14 Zoning Election, as follows:

Place: Baldwin County (Main) Courthouse at the County Seat in Bay Minette
Office: Office of Circuit Clerk of the 28th Judicial Circuit
8:00 AM - 4:30 PM (Monday - Friday)

CA2 Baldwin County Library Board - Board Appointment(s)

[23-1008](#)

Related to the Baldwin County Library Board (Baldwin County Library Cooperative, Inc), take the following actions:

- 1) Accept the resignation of Mr. Chad Yarbrough, dated March 22, 2023, and thank him for his prior civic service as a member of the board; and
- 2) Appoint Ms. Lolita Boykin as a member of the board, to fill the place seat formerly held by Mr. Chad Yarbrough, for a pro-rata reduced four (4) year term, said term commencing May 16, 2023, and expiring October 1, 2025.

CA3 Case No. LV-23004 - Alcohol License Application for YINZERS LLC d/b/a Y PIZZA

[23-1025](#)

Approve the issuance of 020 - Restaurant Retail Liquor license by the Alabama Alcoholic Beverage Control (ABC) Board to YINZERS LLC d/b/a Y PIZZA, located at 10748 County Road 64 Ste 1, Daphne, Alabama 36526.

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

CA4 Employment Contract for Baldwin County Legislative Delegation Full-time Clerk

[23-1108](#)

As Requested by the Baldwin County Legislative Delegation, take the following actions:

- 1) Approve the Employment Contract between the Baldwin County Commission, the Baldwin County Legislative Delegation and Allison Marlow, applicable to the position of Full-time Clerk, subject to the terms set forth in the Employment Contract. This contract will commence on June 5, 2023, and expire on June 5, 2024; and
- 2) Adopt Resolution #2023-123 of the Baldwin County Commission, transferring \$45,000 from 104.49000 Fund Balance to 10451904.51130 Salaries Wages to cover the cost of

the above Employment Contract

CA5 *Revision of County Take Home Vehicle List - May 2023

[23-1102](#)

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

The total number of Baldwin County Commission departmental staff driving County owned vehicles home is 219.

CA6 Selection of Americans with Disabilities Act (ADA) Compliance Coordinator

[23-1052](#)

Take the following actions:

- 1) Designate Roger H. Rendleman, County Administrator, as the Americans with Disabilities Act (ADA) Compliance Coordinator for the Baldwin County Commission; and
- 2) Authorize the Chairman to execute a letter to the State of Alabama Governor's Office on Disability informing them of the same.

CA7 Transfer of One (1) Vehicle from Budget Department to Administration Department

[23-1148](#)

Take the following actions:

- 1) Approve the transfer, at no cost, of one (1) 2015 Ford F-150 (VIN #1FTEW1EF4FKF09044) from the Budget Department Cost Center 51725, to the Administration Department Cost Center 51125; and
- 2) Authorize the Chairman to execute the Fixed Asset Change Form.

CC ARCHIVES AND HISTORY

CC1 Submission of Alabama Tourism Department 2023 Community Grants Application

[23-1126](#)

Approve the submittal of the Alabama Tourism Department 2023 Community Grants Application by Archives Department staff on behalf of the Baldwin County Commission requesting \$10,000.00 in grant funds for community-wide events and festivals.

CE BUDGET/PURCHASING

CE1 Competitive Bid #WG22-57 - Construction of Magnolia Sanitary Landfill Cell 9 Located in Summerdale, Alabama for the Baldwin County Commission

[23-1111](#)

Take the following actions:

1) Approve Change Order #1 with Atlantis Commercial Group, Inc., for the construction of Magnolia Sanitary Landfill Cell 9 located in Summerdale, Alabama; and

2) Authorize the Chairman to execute the Change Order #1 in the amount of \$412,734.49. Construction time will be increased 135 calendar days.

CE2 Competitive Bid #WG23-23A - Provision of Police Vehicle Accessories for the Baldwin County Commission

[23-1097](#)

Award Bid #WG23-23A to Floyds Exhaust & Performance, for the Provision of Police Vehicle Accessories - Group #1 as per the award listing.

CE3 Competitive Bid #WG23-29 - Provision of Emulsified Asphalt (Bituminous Materials) for the Baldwin County Commission

[23-1098](#)

Award Bid #WG23-29 to Blacklidge Emulsions, Inc., for the Provision of Emulsified Asphalt (Bituminous Materials) per the award listing.

CE4 Competitive Bid #WG23-31 - Purchase and Installation of Ceiling Netting for Baldwin County Highway Maintenance Facility (Area 300) Located in Foley, Alabama for the Baldwin County Commission

[23-1096](#)

Award Bid #WG23-31 to Aviaway, LLC for the Purchase and Installation of Ceiling Netting for Baldwin County Highway Maintenance Facility (Area 300) located in Foley, Alabama, in the bid amount of \$22,500.00.

CE5 Competitive Bid #WG23-32 - Purchase and Installation of One (1) New 40 ft. x 132 ft. x 18 ft. Metal Building for the Baldwin County Sheriff's Office Located in Robertsedale, Alabama

[23-1127](#)

Award Bid #WG23-32 to the lowest bidder, Sun Coast Builders, Inc., for the Purchase and Installation of one (1) new 40 ft. X 132 ft. X 18 ft. Metal Building for the Baldwin County Sheriff's Office located in Robertsedale, Alabama, per the award listing and authorize the Chairman to execute the contract.

Contract is effective for 120 days after the Notice to Proceed is issued.

CE6 Competitive Bid #WG23-36 - Purchase of One (1) New Ford Expedition or Equivalent for the Baldwin County Judge of Probate

[23-1141](#)

Award Bid #WG23-36 - Purchase of One (1) new Ford Expedition or Equivalent to the lowest responsible bidder, who met the specifications, Johnson Ford, Inc., as follows:

Make Model: 2022 Ford Expedition Max Platinum 4WD SUV

Amount Bid: \$88,611.00

Delivery Time: 1 day

CE7 Emergency Water Pipe Replacement Project at the Baldwin County
Corrections Center Located in Bay Minette, Alabama

[23-1122](#)

Authorize the Chairman to execute the Certificate of Substantial Completion with PlumCore, Inc., for the Emergency Water Pipe Replacement Project at the Baldwin County Corrections Center located in Bay Minette, Alabama.

CE8 Drainage Improvement Projects No. HW21154000 - Leiterman Lane, No.
HW21156000 - Shoots Lane and No. HW21151000 - CR-87 for the
Baldwin County Commission

[23-1133](#)

Take the following actions:

1) Approve Change Order #1 with McElhenney Construction Co. LLC, for Project No. HW21154000 - Drainage Improvements on Leiterman Lane, Project No. HW21156000 - Drainage Improvements on Shoots Lane, and Project No. HW21151000 Drainage Improvements on CR-87; and

2) Authorize the Chairman to execute the Change Order in the amount of \$34,026.00. Construction time will be increased by 10 working days.

CF BUILDING INSPECTION

CF1 Baldwin County Flood Damage Prevention Ordinance Board of Adjustment
- Board Appointment(s)

[23-1103](#)

To accomplish the provisions set forth at Article 5 of the Baldwin County Flood Damage Prevention Ordinance, and in conformity to Section 11-19-19 of the Code of Alabama 1975, take the following actions related to the Baldwin County Flood Damage Prevention Ordinance Board of Adjustments:

1) Re-appoint Mr. Mark Acreman as a regular member for a three (3) year term, said term commencing June 1, 2023, and expiring June 1, 2026; and

2) Re-appoint Mr. Cliff Pitman as a regular member for a three (3) year term, said term commencing June 1, 2023, and expiring June 1, 2026; and

3) Re-appoint Mr. Richard Peterson as a regular member for a three (3) year term, said term commencing June 1, 2023, and expiring June 1, 2026; and

4) Re-appoint Mr. Timothy Barnhill as a regular member for a three (3) year term, said term commencing August 1, 2023, and expiring August 1, 2026; and

5) Re-appoint Mr. Martin Pitts as a regular member for a three (3) year term, said term commencing August 1, 2023, and expiring August 1, 2026.

CF2 Request for Attorney General's Opinion Regarding Proper Notice for a Nuisance on Real Property Previously Sold for Unpaid Taxes

23-1104

Adopt Resolution #2023-115 which approves, authorizes, and directs the Attorney for the Baldwin County Commission to request an opinion from the Office of the Attorney General for the State of Alabama regarding nuisance notice requirements when real property is sold for unpaid taxes.

CH COMMUNICATIONS/INFORMATION SYSTEMS (CIS)

CH1 Agreement Regarding Baldwin County Interoperability Communications System with Lottie Volunteer Fire Department

23-1125

Approve and authorize the Chairman to execute the Agreement regarding Baldwin County Interoperability Communications System between the Baldwin County Commission and the Lottie Volunteer Fire Department for the use of the Baldwin County Interoperability P25 700/800 MHz Communication System.

This Agreement shall be effective upon the date of full execution by both parties for a term of three (3) years, unless otherwise terminated by the parties set forth herein. Any party may terminate this Agreement by giving ninety (90) days written notice of such termination to the other party.

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

23-1064

Take the following actions:

1) Terminate the Management Control Agreement effective May 16, 2023, between the Baldwin County Commission and the Baldwin County Sheriff's Office approved during the January 15, 2013, Baldwin County Regular Meeting (Agenda Item EE1); and

2) Approve and authorize the 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 Management Control Agreement with City of Bay Minette Police Department for Administration of Computer Systems and Network

23-1060

Infrastructure

Take the following actions:

- 1) Terminate the Management Control Agreement effective May 16, 2023, between the Baldwin County Commission and the City of Bay Minette Police Department approved during the August 3, 2010, Baldwin County Regular Meeting (Agenda Item G1); and
- 2) Approve and authorize Chairman to execute the Management Control Agreement between Baldwin County Commission and City of Bay Minette Police Department for the administration of computer systems and network infrastructure which interfaces with the Alabama Criminal Justice Information Center (ACJIC) network; and
- 3) Authorize Brian Peacock, Communications and Information Systems Department (CIS) Director, to sign the Management Control Agreement as requested by the Alabama Law Enforcement Agency (ALEA).

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.

CH4 Management Control Agreement with City of Bay Minette Municipal Court for Administration of Computer Systems and Network Infrastructure

[23-1067](#)

Take the following actions:

- 1) Approve and authorize Chairman to execute the Management Control Agreement between Baldwin County Commission and the City of Bay Minette Municipal Court for the administration of computer systems and network infrastructure which interfaces with the Alabama Criminal Justice Information Center (ACJIC) network; and
- 2) Authorize Brian Peacock, Communications and Information Systems Department (CIS) Director, to sign the Management Control Agreement as requested by the Alabama Law Enforcement Agency (ALEA).

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

CJ ELECTED OFFICIALS

CJ1 Coroner's Office - Appointment of Deputy Coroner in Training of Baldwin County, Alabama

[23-1121](#)

As requested by the Coroner of Baldwin County, the Honorable Dr. Brian Pierce, and pursuant to Section 11-5-34 of the Code of Alabama 1975, take the following actions:

- 1) Approve the appointment of Jacob Van Blake as Deputy Coroner in Training of

Baldwin County, Alabama; and

2) Approve the Deputy Coroner in Training compensation at \$15.00 per hour.

Said appointment, salary and compensation to become effective June 1, 2023.

CJ2 Sheriff's Office - Contract for Law Enforcement Services for Town of Summerdale

[23-1152](#)

Approve the Contract for Law Enforcement Services between the Baldwin County Commission, the Town of Summerdale, and the Baldwin County Sheriff's Office for the provision of law enforcement protection to the Town of Summerdale, Alabama. The agreement commenced on May 1, 2023, and will terminate December 31, 2023.

Any party may terminate this agreement without cause or further liability to the other, except as to the indemnification provided herein, upon thirty (30) days written notice to the other parties to this Agreement.

CK EMERGENCY MANAGEMENT AGENCY (EMA)

CK1 Facility Use Agreement with American National Red Cross South Alabama Chapter for Use of Parking Space

[23-1089](#)

Take the following actions:

1) Approve the Facility Use Agreement between the Baldwin County Commission and the American National Red Cross South Alabama Chapter to use the Baldwin Regional Area Transit Systems (BRATS) parking lot located at 1013 North Juniper Street, Foley, Alabama, to park a double axel large disaster response trailer to conduct emergency, disaster related activities; and

2) Authorize the Chairman to sign the agreement and any related documents.

The term of this agreement begins on the date of the last signature and ends thirty (30) days after written notice by either party. This will be the earlier notice of either party or July 1, 2025.

CL ENVIRONMENTAL MANAGEMENT

CL1 Baldwin County Solid Waste Uncollectible Residential Accounts - May 2023

[23-1135](#)

Approve the uncollectible residential garbage accounts list for write-offs in the amount of \$159.00.

CN HIGHWAY

CN1 Fiscal Year 2024 Transportation Alternatives Program Application -
Pedestrian Bridge on Eastern Shore Trail at Point Clear Creek

[23-1020](#)

Take the following actions:

- 1) Approve Highway Department staff to prepare and submit an application for the Fiscal Year 2024 Transportation Alternatives Program (TAP) to request federal funding for a pedestrian bridge on the Eastern Shore Trail at Point Clear Creek; and
- 2) Adopt Resolution #2023-104 and authorize the Chairman to send a letter to the Alabama Department of Transportation (ALDOT) advising of Baldwin County's intent to apply for federal funds for the construction of the project; and
- 3) Approve the Chairman to sign any other award or reporting documents as needed.

CN2 Intergovernmental Service Agreement with City of Spanish Fort for
Mowing of Certain Roads Inside Spanish Fort City Limits

[23-1068](#)

Approve an Intergovernmental Service Agreement between the Baldwin County Commission and the City of Spanish Fort for Area 100 Maintenance Crews to mow the following roads inside the corporate limits of the City of Spanish Fort:

Bromley Road
County Road 39
D'Olive Road
Jimmy Faulkner Drive

The City of Spanish Fort will be billed quarterly for the actual cost of the work performed. (The term of this agreement shall be for twenty-four months from the date of full execution of both parties and may be terminated as set forth therein.)

CN3 J.M. Wood Auction Company, Inc. - Equipment Auction List

[23-1110](#)

Approve and authorize the Chairman to execute the list of Highway Department equipment for sale by auction (Exhibit A) at the J.M. Wood Auction Company, Inc. facility in Montgomery, Alabama on June 13-15, 2023.

CP PARKS

CP1 Waiving of Boat Launch Fees at Live Oak Landing for the Will Brooks
Memorial Scholarship Foundation Fishing Tournament

[23-1118](#)

Approve the request from Mr. Tre Williams, Director of Poor Man's Bass Tournament Series, to waive boat launch fees for the Will Brooks Memorial Scholarship Foundation Fishing Tournament to be held at Live Oak Landing on Saturday, June 3, 2023.

CQ PERSONNEL

CQ1 Budget and Purchasing Department - Position Changes

23-1132

Take the following actions:

- 1) Reclassify / retitle the Buyer II position (#5159), grade 310 (grade 310 range: \$18.28 - \$29.95 per hour) to a Senior Budget Accountant, grade S317 (\$57,544.00 - \$94,297.00 annually); and
- 2) Approve the updated position description for Senior Budget Accountant; and
- 3) Approve the updated organizational chart for the Budget and Purchasing Department.

CQ2 Finance and Accounting Department - Position and Personnel Changes

23-1134

Take the following actions:

- 1) Abolish the vacant Accounts Payable Technician position (#845) grade 308 (grade 308 range: \$34,153.60 - \$55,972.80 annually), and
- 2) Retitle Katrina Taylor, Grants Coordinator position (#5548), grade S316 (\$57,006.75 annually) to Compliance Analyst at a grade S316 (\$67,000.00); and
- 3) Approve the position description for Compliance Analyst; and
- 4) Approve the updated organizational chart for the Finance and Accounting Department.

CQ3 Highway Department (Bay Minette) - Voluntary Demotion of Employee

23-1130

Approve the voluntary demotion of Derrick Smith from the Traffic Control Technician IV position (#5382) grade 312 (\$21.27 per hour / \$44,241.60 annually), in the Highway Traffic Operations Department (53135), to fill the open Operator Technician Trainee position (#5486) grade 306 (\$20.21 per hour / \$42,036.80 annually), in the Bay Minette Highway Department (53111) to be effective no sooner than May 22, 2023.

CQ4 Parks Department - Personnel Changes

23-1128

Take the following actions:

- 1) Approve the employment of Jhaleel Robbins to fill the open Landscape Technician I position (#5138) grade 306 (\$14.90 per hour / \$30,992.00 annually); and
- 2) Approve the voluntary demotion of Jason Bryars from the Detention Worker I position

(#5162) grade 308 (\$16.75 per hour / \$34,840.00 annually), in Juvenile Detention Center (52610), to fill the open Landscape Technician I position (#4041) grade 306 (\$15.91 per hour / \$33,092.80 annually), in the Parks Department (57200).

These actions will be effective no sooner than May 22, 2023.

CQ5 Planning and Zoning Department - Position Changes

[23-1155](#)

Take the following actions:

- 1) Retitle the Subdivision Coordinator position (#5431) to an Associate Planner position; and
- 2) Reclassify the Planning Technician II position (#5345) grade 311 (grade 311 range: \$19.38 - \$31.75 per hour) to a Planning Technician I position at a grade 310 (grade 310 range: \$18.28 - \$29.95 per hour); and
- 3) Create a Part-time Associate Planner position (#TBD) at a grade 313 (grade 313 range: \$21.81 - \$35.74 per hour); and
- 4) Approve the updated position descriptions for Associate Planner and Part-time Associate Planner; and
- 5) Approve the updated organizational chart for the Planning and Zoning Department.

CQ6 Probate Office - Employment of One (1) License Revenue Officer I Position

[23-1129](#)

Approve the employment of Brittany Davis to fill the open License Revenue Officer I position (#3083) at a grade 306 (\$14.90 per hour / \$30,992.00 annually) to be effective no sooner than May 22, 2023.

CQ7 Solid Waste Department (Administration) - Creation of Positions

[23-1131](#)

Take the following actions:

- 1) Create a Human Resources Director position (#TBD) at a grade S319 (grade S319 range: \$64,956.00 - \$106,438.00 annually); and
- 2) Create a Senior Accountant position (#TBD) at a grade S317 (grade S317 range: \$57,544.00 - \$94,297.00 annually); and
- 3) Approve the position descriptions for Senior Accountant and Human Resources Director; and

4) Approve the updated organizational chart for the Solid Waste Administration Department.

CR PLANNING AND ZONING

CR1 Letter of Support for Auburn University for Mississippi-Alabama Sea Grant Consortium Proposal [23-1115](#)

Approve and authorize the Chairman to execute a letter of support to Auburn University for the Mississippi-Alabama Sea Grant Consortium Proposal entitled “Inequities in pollution exposure: examining the relationship between onsite wastewater system prevalence and water contamination.”

CR2 Letter of Support for City of Orange Beach Wind and Water Learning Center for ADEM 319 Grant [23-1114](#)

Approve and authorize the Chairman to execute a letter of support to the City of Orange Beach’s Wind and Water Learning Center in the City’s pursuit of an ADEM 319 Grant for Implementing Nature Based Stormwater Solutions.

CR3 Proposed Planning (Zoning) District 14 - Making Judge of Probate Order for Election Part of the Record [23-1154](#)

Make a part of the record the attached Order from Baldwin County Judge of Probate setting the date for the Planning (Zoning) District 14 election for June 6, 2023, to be held at:

Marlow Volunteer Fire Department
13355 County Road 32
Summerdale, Alabama

CR4 Proposed Planning (Zoning) District 40 - Acceptance of Notice of Intent to Request Planning and Zoning Referendum and Acceptance of District Boundaries [23-1143](#)

Pursuant to Alabama Code §45-2-261.07, take the following actions:

1) Accept the notice of intent to request a referendum for Planning and Zoning purposes for the proposed Planning District to be known as Planning (Zoning) District 40 as the balance of the unzoned area in Voting Precinct 37; and

2) Accept the Planning (Zoning) District 40 boundaries subject to a subsequent affirmative referendum vote pursuant to Alabama Code §45-2-261.07.

D PRESENTATIONS

DA GENERAL

DA1 Recognition of Alabama State Trooper Corporal Jeremy Alford

[23-1136](#)

Commissioner McKenzie read the Police Officers prayer, and presented a Certificate of Recognition to Corporal Jeremy Alford.

The Commissioners thanked the officers for the work that they do to protect and serve the community and their families for the support they provide.

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner Billie Jo Underwood, to make the recognition of Alabama State Trooper Corporal Jeremy Alford part of the record.

After the motion and second, and before the vote, the Commissioners thanked Corporal Alford and the men and women in law enforcement for their dedication to protect and serve not only the citizens of Baldwin County, but across the country.

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

E PUBLIC HEARINGS

EN HIGHWAY

EN1 *Case No. VAC-23-1 - Vacation of a Portion of 40' Bayview Drive Right-of-Way

[23-1137](#)

Chairman Gruber opened the public hearing at 8:47 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Gruber closed the public hearing at 8:47 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, to take the following actions:

1) Approve the request from William R. Ross, Mary Ross, Dale Delarber, Christine Delarber, William Forehand, Margi Forehand, Marvin Bledsoe, and Linda Bledsoe to vacate a portion of 40' Bayview Drive right-of-way; and

2) Adopt Resolution #2023-096 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

ER PLANNING AND ZONING

ER1 Case No. Z23-5 - Strack Property Rezoning

[23-1124](#)

Matthew Brown, Planning Director, appeared before the Commission and provided background information on the subject property.

Chairman Gruber opened the public hearing at 8:50 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Gruber closed the public hearing at 8:50 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, to adopt Resolution #2023-099, which approves Case No. Z23-5 Strack Property, as it pertains to the rezoning of 2.64 acres, more or less, as located in Planning (Zoning) District 37, from RSF-1 Single Family District to B-2 Neighborhood 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

ER2 Case No. Z23-7 - Pintarelli Property Rezoning

[23-1112](#)

Matthew Brown, Planning Director, appeared before the Commission and provided background information on the subject property.

Chairman Gruber opened the public hearing at 8:53 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Gruber closed the public hearing at 8:53 a.m.

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner James E. Ball, to adopt Resolution #2023-100, which approves Case No. Z23-7, Pintarelli Property Rezoning, as it pertains to the rezoning of 5 acres, more or less, as located in Planning (Zoning) District 15, from RSF-E, Residential Single-Family Estate District to RA, Rural Agricultural 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

F OTHER STAFF RECOMMENDATIONS

FA ADMINISTRATION

FA1 *Removal of Derelict Sailboat in Weeks Bay [23-1140](#)

Roger Rendleman, County Administrator, noted there is a replacement item for Item FA1.

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

1) Approve the removal of a derelict sailboat in Weeks Bay near 10681 Crescent Point Drive; and

2) Authorize the Purchasing Director and ALEA to place a competitive bid and 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.

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

FJ ELECTED OFFICIALS

FJ1 Coroner's Office - Case Management System [23-1117](#)

No action taken, will be brought back to a future meeting.

FR PLANNING AND ZONING

FR1 *Interim Agreement with S & H Investment Rentals Inc.

23-1144

Motion by Commissioner James E. Ball, seconded by Commissioner Matthew P. McKenzie, to approve and authorize the Chairman to execute an Interim Agreement between the Baldwin County Commission and S & H Investment Rentals Inc.

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 Allocation of American Rescue Plan Act (ARPA) Funds for Baldwin County Commission for COVID-19 Self-funded Health Insurance Claims

23-1026

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner James E. Ball, to approve the allocation of "real" American Rescue Plan Act (ARPA) funds in the amount of \$99,361.00 to cover prior COVID-19 related expenses for Symbol Health Clinic claims, Blue Cross Blue Shield of Alabama and MedOne healthcare claims from January 1, 2023, through March 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

GA2 *Resolution #2023-118 - Allocation of American Rescue Plan Act (ARPA) Funds for Drainage Improvements Along Faircloth Road Project and Permission to Advertise

23-1116

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

1) Approve the allocation of "real" American Rescue Plan Act (ARPA) funds in the amount of \$1,500,000 for the cost of the Drainage Improvements along Faircloth Road Project, to include the open channel ditch cut, piping, riprap, and other engineering

controls to reduce stormwater velocity and prevent erosion; and

2) Adopt Resolution #2023-118 of the Baldwin County Commission allocating up to \$1,500,000 of the American Rescue Plan Act (ARPA) funds for the Drainage Improvements along Faircloth Road Project; and

3) Approve the Purchasing Director to place a competitive bid for the Drainage Improvements along Faircloth Road Project; and

4) Approve the Chairman to execute any project related documents.

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

GA3 *Resolution #2023-120 - Allocation of American Rescue Plan Act (ARPA) Funds for Bay Minette Courthouse Outdoor Atrium

[23-1138](#)

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, to take the following actions:

1) Adopt Resolution #2023-120 of the Baldwin County Commission allocating up to but not to exceed \$948,830.00 of ARPA funds for the Bay Minette Courthouse Outdoor Atrium; and

2) Approve and authorize the Chairman to execute the AIA Professional Services Contract with PH&J Architects, Inc. in the amount of 6.5% of the construction cost for the Design of Bay Minette Courthouse Outdoor Atrium.

The period of performance for this Agreement shall begin on the date of execution of the Agreement by both parties and shall end upon the completion of the project or on December 31, 2026.

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

GA4 *American Rescue Plan Act (ARPA) Program Update

[23-1119](#)

No action taken.

H ADDENDA

HA GENERAL

HA1 Termination of Intergovernmental Service Agreement with City of Daphne for Construction of Corte Road Extension between County Road 13 and Friendship Road

23-1158

Motion by Commissioner James E. Ball, seconded by Commissioner Billie Jo Underwood, to take the following actions:

- 1) Approve terminating the Intergovernmental Service Agreement with the City of Daphne for construction of Corte Road Extension between County Road 13 and Friendship Road approved during the March 21, 2023, Baldwin County Regular Meeting (Agenda Item CN6); and
- 2) Notify the City of Daphne with thirty (30) days written notification of termination as stated 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	

HA2 *Request from Office of the District Attorney for Additional Office Space
at Office Located in Bay Minette, Alabama

23-1161

Roger Rendleman, County Administrator, noted there is a replacement item for Item HA2.

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner James E. Ball, to take the following actions:

- 1) Approve and authorize the Building Maintenance Department to complete renovations to create two (2) additional private office spaces for the Office of the District Attorney at the County-owned facility located at 101 Hand Avenue, Bay Minette, Alabama.
- 2) Adopt Resolution #2023-127 of the Baldwin County Commission, transferring \$20,000 from 100.47100 Interest Income to 10051995.52310 Repairs Maintenance Buildings to cover the cost of the above office renovations.

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 Letter to ADEM Regarding Process Requirements for Re-opening of Red Hill Landfill Location Permit #02-02 [23-1142](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to approve and authorize Chairman to execute a letter to Alabama Department of Environmental Management (ADEM) establishing the reasoning for referencing § 22-27-48, Code of Alabama (1975), with respect to Permit #02-02 and the appropriate process to follow for re-permitting and subsequent re-opening of the Red Hill Landfill site.

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

None.

M PRESS QUESTIONS

None.

N COMMISSIONER COMMENTS

The Commissioners provided their closing comments, recognizing Senator Jennifer Fidler and District Attorney Robert Wilters for attending the meeting today, and welcoming Roger Rendleman, the new County Administrator.

O ADJOURNMENT

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner James E. Ball, to adjourn the May 16, 2023, Baldwin County Commission Regular meeting at 9:05 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	

Chairman Gruber said the May 16, 2023, Baldwin County Commission Regular meeting is adjourned at 9:05 a.m.