

Baldwin County Commission

Baldwin County Commission
Regular
Meeting Minutes
Tuesday, July 3, 2018 8:30 AM



Baldwin County Administration Building
County Commission Chambers
322 Courthouse Square
Bay Minette, Alabama 36507

District 1 – Commissioner Frank Burt, Jr., Chairman
District 2 – Commissioner Chris Elliott
District 3 – Commissioner Tucker Dorsey
District 4 – Commissioner Charles F. Gruber, Vice Chairman

Ronald J. Cink, County Administrator

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

A WELCOME, INVOCATION AND PLEDGE OF ALLEGIANCE

Present: 3 - Chairman Frank Burt Jr., Commissioner Chris Elliott, and Commissioner Tucker Dorsey

Absent: 1 - Vice Chairman Charles F. Gruber

Also present were, Ron Cink, County Administrator/Budget Director, and David Conner, County Attorney.

The Chairman called the meeting to order at 8:33 a.m. and introduced Reverend Charles K. Reeves, Pastor of Tate Chapel A.M.E. Church of Little River, who appeared before the Commission, provided information on his church and led the Commission in prayer. After the Pledge of Allegiance led by David Conner, County Attorney, the Commission transacted the following business to-wit:

ADOPTION OF MINUTES

Motion by Commissioner Chris Elliott, seconded by Commissioner Tucker Dorsey, to adopt the minutes of the June 19, 2018, Baldwin County Commission regular meeting.

The motion passed by the following vote:

Aye: 3 - Frank Burt Jr., Chris Elliott, and Tucker Dorsey

Nay: 0

Absent: 1 - Charles F. Gruber

Abstain: 0

Ron Cink, County Administrator/Budget Director, said this meeting is now streaming live on the

Baldwin County Commission's Facebook page.

B CONSENT

Ron Cink, County Administrator/Budget Director, asked the Commissioners to pull Agenda Item BP1 - Building Inspection Department - Employment of One (1) Building Inspector III, at the request of staff.

Motion by Commissioner Tucker Dorsey, seconded by Commissioner Chris Elliott, to adopt the Consent Agenda with the exception of Item BP1.

The motion passed by the following vote:

Aye: 3 - Frank Burt Jr., Chris Elliott, and Tucker Dorsey

Nay: 0

Absent: 1 - Charles F. Gruber

Abstain: 0

BA ADMINISTRATION

BA1 Baldwin County Commission District No. 3 Planning (Zoning) District
Board of Adjustment (Central Baldwin County Area) - Board Appointment

18-0524

As relates to the Baldwin County Commission District No. 3 Planning (Zoning) District Board of Adjustment, approve the following action:

1) Appoint Bellmont Tommy Springer, Jr., as an alternate member to Peggy Pittman Branch (Planning District 12 Designee), for a pro-rata reduced three (3) year term to coincide with the term of Peggy Pittman Branch, said term commencing on July 3, 2018, and expiring on January 2, 2019.

BA2 Voting Administration - Agreement for the Use of New Life Assembly of God Church as a Voting Location for Voting Precinct No. 7

18-0531

To provide for the use of the Voting Place (New Life Assembly of God, Incorporated, located at 10424 U.S. Highway 31, Spanish Fort, Alabama) for Baldwin County Voting Precinct No. 7, which benefits citizens in their exercise of the electoral franchise, take the following actions:

1) Execute an Agreement between the Baldwin County Commission and the New Life Assembly of God, Incorporated (Church) to accomplish the parameters set forth in said Agreement, with Agreement commencing on July 17, 2018, and expiring on July 16, 2021; and

2) Authorize County personnel to accomplish external grounds-cleaning on the

grounds of the Voting Place for Baldwin County Voting Precinct No. 7 after any election; and

3) Authorize an expenditure not to exceed \$235.00, from Baldwin County Elections Contract Services Fund 51910.5150, to accomplish the provision of professional cleaning services in the Voting Place for Baldwin County Voting Precinct No. 7 after any election.

BA3 Voting Administration - Agreement for the Use of the Boykin Center Building as a Voting Location for Voting Precinct No. 5

[18-0537](#)

To provide for the use of the Voting Place (Boykin Center Building, located at 900 B Still Boulevard, Bay Minette, in Baldwin County, Alabama) for Baldwin County Voting Precinct No. 5, which benefits citizens in their exercise of the electoral franchise, take the following actions:

1) Approve an Agreement between the Baldwin County Commission and the Bay Minette Housing Authority, to accomplish the parameters set forth in said Agreement, with Agreement commencing on July 21, 2018, and expiring on July 21, 2021; and

2) Authorize County personnel to accomplish external grounds-cleaning on the grounds of the Voting place for Baldwin County Voting Precinct No. 5 after any election; and

3) Authorize an expenditure not to exceed \$235.00, from Baldwin County Elections Contract Services Fund 51910.5150, to accomplish the provision of professional cleaning services in the Voting Place for Baldwin County Voting Precinct No. 5 after any election.

BA4 Resolution #2018-095 of the Baldwin County Commission - Act No. 90-449 (Fire Tax) - Elberta Volunteer Fire Department - Approval of Use of Fire Tax Proceeds

[18-0535](#)

Take the following actions:

1) Adopt Resolution #2018-095 of the Baldwin County Commission which provides the Baldwin County Commission's required approval for the Elberta Volunteer Fire Department to utilize its proceeds of taxes derived by Act No. 90-449 as security of repayment of a loan for up to \$610,325.00 (and the repayment of said loans applicable interest) to purchase:

One (1) - E-One Pumper on a 4-door Freightliner Chassis: Includes additional 18" brow light, swing-out toolboard, permanent shelf, roll-out tray, Shoreline 110V

receptacle, air outlet, TFT ball-intake valve, (2) sections of hard suction hose, and a full ladder complement; and

One (1) E-One Pumper on a 4-door Freightliner Chassis: Includes additional 18" brow light, swing-out toolboard permanent shelf, roll-out tray, Shoreline 110V receptacle, air outlet, TFT ball-intake valve; and

2) Authorize the Baldwin County Commission Chairman to execute any other necessary documentation related to the adoption of Resolution #2018-095, including any other assurances, certifications and financing documents or approvals to affect such approval and purchase of the subject equipment. This approval does not in any way constitute any financial involvement or obligation of the Baldwin County Commission.

BC ARCHIVES AND HISTORY

BC1 Professional Services Agreement for One (1) Historical Painting of the Battle at Historic Blakeley State Park [18-0543](#)

Authorize the Chairman to execute an Agreement for Professional Services between the Baldwin County Commission and Rick Reeves, to produce one (1) historical painting of the Battle at Fort Blakeley. The term of this Agreement is for nine (9) months, commencing on July 3, 2018, and expiring on April 4, 2019, or upon written notification thereof received by either party.

The cost of the painting is \$10,000.00, with \$3,000.00 down, and the remaining \$7,000.00 will be paid when the approval, delivery and installation are complete and delivered to Baldwin County Commission. Baldwin County Commission's cost will be \$10,000.00.

BD BALDWIN REGIONAL AREA TRANSIT SYSTEM (BRATS)

BD1 Revision to Bus Chassis Pricing for Baldwin Regional Area Transit Systems (BRATS) Fiscal Year 2018 Bus Order [18-0539](#)

Authorize the Clerk/Treasurer to process an interim check issued to the Alabama Department of Transportation (ALDOT) for County funds due in the amount of \$194.00 due to a bus chassis price change.

BD2 Submission of Fiscal Year 2019 Section 5307 Urbanized Public Transportation Grant [18-0541](#)

Take the following actions:

- 1) Adopt Resolution #2018-088 authorizing the Baldwin County Commission to commit \$133,122.24 as local non-federal match for operations, planning, and capital expenditures under the Section 5307 Non-Urbanized Area Public Transportation Program during Fiscal Year 2019; and
- 2) Adopt Resolution #2018-089 authorizing the execution and submittal of a Fiscal Year 2019 Section 5307 Grant Application to the Alabama Department of Transportation (ALDOT) relating to public transportation; and
- 3) Authorize the Chairman to sign the application and any related documents, any related award documents, and any related reporting documents; and
- 4) Authorize Baldwin Regional Area Transit System (BRATS) staff to submit the Fiscal Year 2019 Section 5307 agreement to ALDOT.

BD3 Submission of Fiscal Year 2019 Section 5311 Rural Public Transportation Grant

[18-0540](#)

Take the following actions:

- 1) Adopt Resolution #2018-086 authorizing the Baldwin County Commission to commit \$1,645,558.26 as local non-federal match for operations, administration, and capital expenditures under the Section 5311 Non-Urbanized Area Public Transportation Program during Fiscal Year 2019; and
- 2) Adopt Resolution #2018-087 authorizing the execution and submittal of a Fiscal Year 2019 Section 5311 Grant Application to the Alabama Department of Transportation (ALDOT) relating to public transportation; and
- 3) Authorize the Chairman to sign the application and any related documents, any related award documents, and any related reporting documents; and
- 4) Authorize Baldwin Regional Area Transit System (BRATS) staff to submit the Fiscal Year 2019 Section 5311 agreement to ALDOT.

BE BUDGET/PURCHASING

BE1 Competitive Bid #WG16-34 - Provision of Pest Control Services for the Baldwin County Commission

[18-0528](#)

Extend Bid #WG16-34 - Provision of Pest Control Services with Beebe's Pest Control for an additional twelve (12) months at the same prices and terms stated in

the bid specifications as awarded on July 5, 2016. The bid extension will expire on July 5, 2019.

BE2 Competitive Bid #WG18-35 - Renovations of the Restrooms in the Baldwin County Satellite Courthouse Located in Foley, Alabama for the Baldwin County Commission

18-0529

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the renovations of the restrooms located in the Foley Satellite Courthouse; and
- 2) Further, authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

BE3 Lease of One (1) Postage Machine for the Baldwin County Foley Satellite Courthouse

18-0532

Authorize the Chairman to execute the Lease Agreement with Neopost (Accurate Control) for the rental of a postage machine and meter off the State of Alabama Bid for the Foley Satellite Courthouse for thirty-six (36) months as follows (Lease Agreement effective upon delivery of equipment):

Neopost Model IN750 Mail Machine IN Series 750 Base w/Mixed Size Feeder, sealer and drop tray

Neopost Model INWP10 IN Series 10 lb Weighing Platform

Neopost Model IN750ERR IN Series 750 Base e-RR Feature & Activation Kit w/bc scanner,

Inc e-RR SW & Rate File w/200 eDel/Sig & 500 eCert Labels

Neopost Model INDW10 IN Series 6/7 Base 10 lb Differential Weighing

Neopost Model WP10STDN Scale Stand for ISWP10 & INWP10

\$1,031.22 per quarter - \$4,124.88 per year

BE4 Request of Proposals (RFP) for Radio Maintenance, Management and Installation Services for the Baldwin County Commission

18-0530

Reject the proposal received from Team One Communications for the Radio

Maintenance, Management and Installation Services based on services being provided in another Contract.

BI COUNCIL ON AGING

- BI1** Alabama Department of Senior Services/Senior Community Service Employment Program Host Agency Agreement [18-0533](#)

In regard to the Senior Community Service Employment Program (SCSEP), also known as the Senior Aide Program, administrated by the South Alabama Regional Planning Commission (SARPC) related to the Baldwin County Commission's Council on Aging Department, take the following action:

- 1) Approve the Alabama Department of Senior Services SCSEP Host Agency Agreement between SARPC and the Baldwin County Commission, for the period of July 1, 2018, to June 30, 2019.

BL ENVIRONMENTAL MANAGEMENT

- BL1** Baldwin County Solid Waste Uncollectible Residential Accounts [18-0560](#)

Approve the uncollectible residential garbage accounts list for write-offs in the amount of \$757.25.

BM FINANCE AND ACCOUNTING

- BM1** FY 2017 Audit Management Representation Letter [18-0548](#)

Make the Fiscal Year 2017 Audit Management Representation Letter as part of the July 3, 2018, Baldwin County Commission Regular Meeting minutes.

BN HIGHWAY

- BN1** High Risk Rural Roads (HRRR) Safety Program Application - Guardrail and End Anchor Installation on Unshielded Bridge Ends - Letter of Intent [18-0549](#)

Authorize the Chairman to send a letter of intent to the Alabama Department of Transportation (ALDOT) for funding through the Fiscal Year 2019 High Risk Rural Roads (HRRR) Safety Program for guardrail and end anchor installation on unshielded bridge ends at the following locations:

County Road 87 over Styx River

Scrannage Road over Horseneck Creek
Hoyle Bryars Road over Interstate 65

BN2 Highway Department - GovDeals.com Internet Auction

[18-0550](#)

Approve the Highway Department, through the Clerk/Treasurer, to sell equipment via GovDeals.com internet auction.

BN3 Intergovernmental Service Agreement between Baldwin County and the Town of Loxley for Routine Maintenance of Truck Trail 17 Dirt Road Portion within Loxley Town Limits

[18-0544](#)

Approve an Intergovernmental Service Agreement between the Baldwin County Commission and the Town of Loxley for Area 200 Maintenance Crews to perform routine blading on the dirt portion (3.45 miles) of Truck Trail 17 that lies within Loxley town limits for a period of twenty-four months. The Town of Loxley will be billed quarterly for the actual cost of the work performed. (This agreement shall be effective upon full execution and terminate after twenty-four months unless terminated by either party upon the delivery of a thirty (30) day notice of termination.)

BN4 Morgantown Public Parking Access at Fort Morgan

[18-0551](#)

Approve the Highway Department to install directional signs at the public beach parking access at Morgantown.

BN5 No Name Road in Fort Morgan - Road Name Change, Agreement and Memorandum of Understanding for Road Improvements and Maintenance

[18-0554](#)

Take the following actions:

- 1) Waive Baldwin County Policy No. 4.3 and approve the road name change of No Name Road in Fort Morgan to Burgoyne Road; and
- 2) Adopt Resolution #2018-097 and authorize the Chairman to execute an agreement between the Alabama Department of Transportation (ALDOT) and Baldwin County for improvements to No Name Road (Burgoyne Road) along State Route 180; and

3) Authorize the Chairman to execute a Memorandum of Understanding between the Alabama Historical Commission (AHC) and the Baldwin County Commission which defines specific maintenance responsibilities regarding Burgoyne Road (No Name Road) located on AHC property at the Fort Morgan State Historic Site.

BP PERSONNEL

BP1 Building Inspection Department - Employment of One (1) Building Inspector III [18-0525](#)

This item was pulled from the agenda at the request of staff.

BP2 Building Maintenance Department - Promotion of One (1) Employee into Building Maintenance Supervisor Position [18-0526](#)

Approve the promotion of Christopher Bulman from a Building Maintenance Engineer III (PID #5157) grade J-09 (\$21.428 per hour/\$44,570.24 annually) to fill the open Building Maintenance Supervisor (PID #5367) at a grade K-08 (\$22.968 per hour/\$47,773.44 annually) to be effective no sooner than July 9, 2018.

BP3 Highway Department (Design) - Employment of One (1) Geospatial Operations Manager [18-0527](#)

Approve the employment of Jacob Pierce to fill the open Geospatial Operations Manager position (PID #5409) at a salary grade EC-09 (\$83,000.00 annually) to be effective no sooner than July 9, 2018.

BP4 Probate Office - Personnel Changes [18-0545](#)

Take the following actions:

1) Approve the promotion of Susan Allen from the License Revenue Officer I position (PID #3055) grade G-08 (\$15.806 per hour/\$32,876.48 annually) to fill the open License Revenue Officer II position (PID #606) at a grade H-07 (\$16.930 per hour/\$35,314.40 annually); and

2) Approve the employment of Tamara Shoots to fill the open License Revenue Officer I position (PID #3055) at a grade G-EL (\$12.967 per hour/\$26,971.36

annually).

These actions shall not be effective until July 9, 2018.

BP5 Solid Waste Department - Employment of One (1) Scale Attendant

[18-0547](#)

Approve the employment of Danielle Ward to fill the open Scale Attendant position (PID #1017) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) to be effective no sooner than July 9, 2018.

C PRESENTATIONS

EA FINANCE/ADMINISTRATION DIVISION

EA1 Payment of Bills

[18-0501](#)

Motion by Commissioner Tucker Dorsey, seconded by Commissioner Chris Elliott, to pay bills totaling \$11,059,437.47 (eleven million, fifty-nine thousand, four hundred thirty-seven dollars and forty-seven cents).

Of this amount, \$8,764,118.85 (eight million, seven hundred sixty-four thousand, one hundred eighteen dollars and eighty-five cents) is payable to the Baldwin County Board of Education for its portion of the County Sales and Use Tax.

The motion passed by the following vote:

Aye: 3 - Frank Burt Jr., Chris Elliott, and Tucker Dorsey

Nay: 0

Absent: 1 - Charles F. Gruber

Abstain: 0

EA2 Notification of Interim Payments Approved by Clerk/Treasurer as Allowed Under Policy 8.1

[18-0502](#)

Ron Cink, County Administrator/Budget Director, informed the Commission that the Baldwin County Commission Interim Payments – July 3, 2018, made by the Clerk/Treasurer totaling \$3,901,996.28 (three million, nine hundred one thousand, nine hundred ninety-six dollars and twenty-eight cents) are a part of the record.

Ron Cink, County Administrator/Budget Director, said the Commissioners can go through the rest of the agenda or recess the meeting until 9:00 a.m.

Chairman Burt said he will recess the meeting for approximately 20 minutes.

Recess

Chairman Burt recessed the meeting at 8:38 a.m.

The meeting reconvened at 9:00 a.m.

D PUBLIC HEARINGS

DN HIGHWAY

DN1 Case No. VAC-18-2 - Vacation of a Portion of Brinks Willis Road at the Foley Beach Express

18-0552

David Conner, County Attorney, said he has a conflict of interest because his firm has represented some of the parties in this LLC at some point and time in the past. Mr. Conner said Mr. Brad Hicks with Stone Crosby, P.C. is here to represent the Commission as Conflicts Counsel.

Joey Nunnally, County Engineer, appeared before the Commission and said staff is recommending the Commission adopt a resolution which approves the vacation of a portion of Brinks Willis Road at the Foley Beach Express. This road is a east/west running route and crosses the Foley Beach Express. In 1999 when the Foley Beach Express right-of-way was acquired, the tri-party agreement between the City of Foley, the Baldwin County Commission and the Baldwin County Bridge Company stated this right-of-way needed to be vacated. That vacation was done, but staff recently found out a strip was not vacated. This will clean up the record by vacating this right-of-way that was not vacated on September 7, 1999.

Chairman Burt opened the public hearing at 9:02 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Burt closed the public hearing at 9:02 a.m.

Commissioner Dorsey said the Commission has held the public hearing as required. He also has a conflict of interest regarding this case. This can get a little funny with Commissioner Gruber's absence.

Motion by Commissioner Tucker Dorsey, seconded by Commissioner Chris Elliott to table any action related to Case No. VAC-18-2 - Vacation of a Portion of Brinks Willis Road at the Foley Beach Express for no more than 100 days or prior to Commissioner Gruber's return to a meeting.

Mr. Hicks appeared before the Commission and asked if this can be postponed to a date certain within the 100 days so the public hearing will not have to be re-noticed. He feels another public hearing should be held at that meeting just to make sure every "I" is dotted and

every "T" is crossed. Staff had talked about the September 4, 2018, meeting and asked if it was okay if the Commission could amend the motion.

Commissioner Dorsey withdrew his motion.

Commissioner Elliott withdrew his second.

DN1 Case No. VAC-18-2 - Vacation of a Portion of Brinks Willis Road at the Foley Beach Express

[18-0552](#)

Motion by Commissioner Tucker Dorsey, seconded by Commissioner Chris Elliott, to table Case No. VAC-18-2, Vacation of a Portion of Brinks Willis Road at the Foley Beach Express until the September 4, 2018, Baldwin County Commission regular meeting.

The motion passed by the following vote:

Aye: 3 - Frank Burt Jr., Chris Elliott, and Tucker Dorsey
Nay: 0
Absent: 1 - Charles F. Gruber
Abstain: 0

Chairman Burt said this item is tabled until September 4, 2018, at which time the Commissioners will bring it back just for the vote.

DN2 Case No. VAC-18-3 - Vacation of a Portion of Fox Ford Road

[18-0546](#)

Joey Nunnally, County Engineer, appeared before the Commission and said staff recommends the Commission approve the request from Mr. Harold O. Elliott and Mrs. Judy M. Elliott to vacate a portion of the road and authorize the Chairman to execute Resolution #2018-084. This road is a County maintained road down to a point, but the right-of-way continues. It is an unmaintained, unopened right-of-way deeded to the County. Mr. and Mrs. Elliott asked the County to vacate that portion of the road down to the creek bottom. The right-of-way past the creek bottom is not deeded right-of-way. Mr. Nunnally said Mr. Elliott is here if the Commissioners would like to ask any questions.

Chairman Burt opened the public hearing at 9:07 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Burt closed the public hearing at 9:07 a.m.

Motion by Commissioner Tucker Dorsey, seconded by Commissioner Chris Elliott, to take the following actions:

- 1) Approve the request from Harold O. Elliott and Judy M. Elliott to vacate a

portion of Fox Ford Road; and

2) Authorize the Chairman to execute Resolution #2018-084, which adopts the same and approves the vacation, in accordance with Section 23-4-2 and Section 23-4-20 of the Code of Alabama.

The motion passed by the following vote:

Aye: 3 - Frank Burt Jr., Chris Elliott, and Tucker Dorsey

Nay: 0

Absent: 1 - Charles F. Gruber

Abstain: 0

E COMMITTEE REPORTS

EB1 COUNTY ENGINEER'S REPORT

Joey Nunnally, County Engineer, said things are moving along. He appreciates everything the Commission does for the Highway Department. The Commissioners have funded it well and staff is doing the best it can to make sure things run smoothly and operates well.

F ELECTED OFFICIAL REQUESTS

G OTHER STAFF RECOMMENDATIONS

H COMMISSIONER REQUESTS

HA COMMISSION DISTRICT 1

HB COMMISSION DISTRICT 2

HC COMMISSION DISTRICT 3

HD COMMISSION DISTRICT 4

I ADDENDA

J ADMINISTRATIVE REPORT

K COUNTY ATTORNEY'S REPORT

L ANNOUNCEMENTS

M PUBLIC COMMENTS

N PRESS QUESTIONS

O COMMISSIONER COMMENTS

Commissioner Dorsey wished everyone a Happy 4th of July and said he is thankful for the visitors coming to Baldwin County. The Commissioners appreciate the visitors and the impact they make on the economy.

Chairman Burt said the Primary Election Run-off is two weeks from today. He is asking everyone to come out and vote. There was only a 24 percent turnout in the Primary Election. In many cases, there are even less who vote in a run-off. Chairman Burt asked everyone to study the ballot and exercise their right to vote.

P ADJOURNMENT

Motion by Commissioner Tucker Dorsey, seconded by Commissioner Chris Elliott, to adjourn the July 3, 2018, Baldwin County Commission meeting at 9:11 a.m.

The motion passed by the following vote:

Aye: 3 - Frank Burt Jr., Chris Elliott, and Tucker Dorsey

Nay: 0

Absent: 1 - Charles F. Gruber

Abstain: 0

Chairman Burt said the meeting is adjourned at 9:11 a.m.

Frank Burt, Jr., Chairman