

# Baldwin County Commission

Baldwin County Commission Regular  
Meeting Minutes  
Tuesday, July 17, 2018  
8:30 AM



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

District 1 – Commissioner James E. Ball  
District 2 – Commissioner Joe Davis, III  
District 3 – Commissioner Billie Jo Underwood  
District 4 – Commissioner Charles F. Gruber

Ronald J. Cink, County Administrator

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[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**

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 Mr. Terry Wilhite, Director of Communications, Baldwin County Public Schools, who appeared before the Commission and led the Commission in prayer. After the Pledge of Allegiance led by Vice Chairman Charles F. Gruber, the Commission transacted the following business to-wit:

## **ADOPTION OF MINUTES**

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Tucker Dorsey, to adopt the minutes of the July 3, 2018, Baldwin County Commission regular meeting.

The motion passed by the following vote:

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

## **B CONSENT**

Motion by Commissioner Tucker Dorsey, seconded by Vice Chairman Charles F. Gruber, to adopt the consent agenda.

The motion passed by the following vote:

**Aye:** 3 - Frank Burt Jr., Tucker Dorsey, and Charles F. Gruber

Nay: 0  
Absent: 1 - Chris Elliott  
Abstain: 0

**BA ADMINISTRATION**

**BA1** Resolution #2018-099 - Perdido Bay Water, Sewer and Fire Protection District - Program Year 2018 CDBG Grant Application to ADECA [18-0604](#)

Take the following actions:

1) Adopt Resolution #2018-099 authorizing the Perdido Bay Water Sewer and Fire Protection District to submit the Program Year 2018 (PY2018) Community Development Block Grant (CDBG) application to the Alabama Department of Economic and Community Affairs (ADECA) requesting \$350,000.00 to improve and extend public water services near the Town of Lillian in PY2018 CDBG County funds; and

2) Authorize the Chairman to execute all required grant application documents on behalf of the County.

**BA2** Resolution #2018-100 - Designation of Ronald J. Cink as Certified County Administrator [18-0621](#)

Adopt Resolution #2018-100 which recommends Ronald J. Cink, County Administrator for the designation of Certified County Administrator and requests that his application for such designation be approved.

Further authorize that a copy of Resolution #2018-100 be spread upon the minutes of the July 17, 2018, regularly scheduled meeting of the Baldwin County Commission, and that a copy be delivered to the Association of County Commissions of Alabama as administrator of the County Government Education Institute.

**BA3** Optimist Club of Perdido Bay 32nd Annual Labor Day Mullet Festival 5K and 1-Mile Fun Run [18-0600](#)

Approve the requested route for the Optimist Club of Perdido Bay's 32nd Annual Labor Day Mullet Festival 5K Race and 1-Mile Fun Run on September 3, 2018, beginning at 7:25 a.m. and ending at 9:45 a.m. Said request will close a section of Perdido Street from the intersection Widell Street to the intersection of County Road 99 from 7:30 a.m. to 9:30 a.m.

The Sheriff's Office will provide assistance for this event.

**BA4** Baldwin County Commission District No. 2 Planning (Zoning) District Board of Adjustment (Greater Eastern Shore Baldwin County Area) - Board Appointments [18-0624](#)

As relates to the Baldwin County Commission District No. 2 Planning (Zoning) District Board of Adjustment, take the following actions:

- 1) Reappoint Mr. Michael Cochran as a regular member (Planning District 28 Designee) for a pro-rata reduced three (3) year term, said term continuing from November 7, 2017, and expiring on November 7, 2020; and
- 2) Reappoint Mr. Blayne G. Pierce as a regular member (Planning District 10 Designee) for a three (3) year term, said term continuing from November 7, 2016, and expiring on November 7, 2019; and
- 3) Reappoint Mr. Gary D. E. Cowles as an alternate member (Planning District 26 Designee) for a pro-rata reduced three (3) year term, said term continuing from November 7, 2017, and expiring on November 7, 2020; and
- 4) Reappoint Norman E. Bragg as an alternate member (Planning District 28 Designee) for a pro-rata reduced three (3) year term, said term continuing from November 7, 2017, and expiring on November 7, 2020.

**BA5**    Sale of Vehicle on GovDeals.com by the Baldwin County Commission Administration Department

[18-0631](#)

Approve the sale of one 2004 Ford Crown Victoria, Asset # 0007486, VIN #2FAFP74W14X123686 from the Baldwin County Commission Administration Department.

**BA6**    Payment to Violetta Smith, Absentee Election Manager for Duties Related to the 2018 Statewide Primary Election and Primary Run-off Election

[18-0629](#)

Related to the 2018 Statewide Primary Election and Primary Run-off Election, take the following actions:

- 1) Pursuant to Section 17-11-14 of the Code of Alabama (1975), determine the amount of compensation to be paid to the Absentee Election Manager, Violetta Smith, and for the applicable absentee election time period recognized by law for the 2018 Statewide Election Cycle, to be the same pay as a Precinct Inspector for federal/state/statewide elections provided at (Baldwin County Commission) Policy #2.10 [\$125.00 per day worked with eligibility for an additional \$25.00 per day worked if certified as a qualified poll worker or completing a local election school] which is compliant to Section 17-8-12 of the Code of Alabama 1975; and
- 2) Authorize an adjustment payment to Violetta Smith, based on the hours worked as listed in the time sheet net exclusive of overtime compensation related to job duties as Absentee Election Manager to comply with the statutory requirements of compensation for Absentee Election Manager, as follows for the June 5, 2018, Primary Election and

the July 17, 2018, Primary Run-off Election:

June 5, 2018 Primary Election \$3,113.85 (April 20, 2018 - June 5, 2018); and  
July 17, 2018, Primary Run-off \$1,181.85 (June 6, 2018 - June 19, 2018).

**BA7** Absentee Election Duties Related to the 2018 Statewide Primary Run-off Election and General Election

[18-0630](#)

Related to the 2018 Statewide Primary Run-off Election and General Election, take the following action:

1) Pursuant to Section 17-11-14 of the Code of Alabama (1975), determine the amount of compensation to be paid to the Absentee Election Manager, the Honorable Jody Wise Campbell, and for the applicable absentee election time period recognized by law during the remainder of the 2018 Statewide Election Cycle, effective at 12:01 a.m. on June 20, 2018, for the July 17, 2018, and November 6, 2018 elections, to be the same pay as a Precinct Inspector for federal/state/statewide elections provided at (Baldwin County Commission) Policy #2.10 [\$125.00 per day worked with eligibility for an additional \$25.00 per day worked if certified as a qualified poll worker or completing a local election school] which is compliant to Section 17-8-12 of the Code of Alabama 1975.

**BC ARCHIVES AND HISTORY**

**BC1** Association of County Commissions of Alabama (ACCA) County Government Time Capsule

[18-0637](#)

Approve the recommendation to place the Baldwin County Tapestry Throw in the ACCA County Government Time Capsule.

**BC2** Baldwin County Historic Development Commission - Board Appointments

[18-0636](#)

Related to the Baldwin County Historic Development Commission, take the following actions:

- 1) Reappoint Bert Blackmon for a four (4) year term, said term continuing from July 3, 2018, and expiring on July 4, 2022; and
- 2) Reappoint Claudia Campbell for a four (4) year term, said term continuing from July 3, 2018, and expiring on July 4, 2022; and
- 3) Reappoint Margaret Long for a four (4) year term, said term continuing from July 3, 2018, and expiring on July 4, 2022; and
- 4) Reappoint Price Legg for a four (4) year term; said term continuing from July 3, 2018, and expiring on July 4, 2022; and

- 5) Thank Harriet Outlaw for her civic duty as a member of the board; and
- 6) Appoint William Underwood for a four (4) year term to the place seat formerly held by Harriet Outlaw, said term starting July 17, 2018, and expiring on July 18, 2022.

**BE BUDGET/PURCHASING**

**BE1** Competitive Bid #WG18-26 - Dumpster/Garbage Collection Services and Disposal for the Baldwin County Commission [18-0605](#)

Award Bid #WG18-26 to the lowest bidder, BFI Waste Services, LLC, d/b/a Republic Services of Mobile for the Dumpster/Garbage Collection Services and Disposal as per the Award Listing.

**BE2** Competitive Bid #WG18-27 - Provision of Instant Pre-cooked Meals for the Baldwin County Commission [18-0606](#)

Approve the Purchasing Director to re-bid for the Provision of Instant Pre-cooked Meals and authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

**BE3** Competitive Bid #WG18-28 - Provision of Bag Ice and Bottled Water for the Baldwin County Commission [18-0607](#)

Take the following actions:

- 1) Award the bid section for Bottled Water to the lowest bidder, Atlantic Beverage Co., Inc., as per the Award Listing; and
- 2) Approve the Purchasing Director to re-bid for the Provision of Bag Ice and authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

**BE4** Competitive Bid #WG18-29 - Annual Scrap Metal and White Good Recycling Services for the Baldwin County Commission [18-0608](#)

Authorize the Purchasing Director to re-bid the Annual Scrap Metal and White Good Recycling Services and authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

**BE5** Competitive Bid #WG18-30 - Provision of Emulsified Asphalt (Bituminous Materials) for the Baldwin County Commission [18-0609](#)

Award Bid #WG18-30 for the Provision of Emulsified Asphalt (Bituminous Materials) to Blacklidge Emulsions, Inc., as per the Award Listing.

**BE6**    Competitive Bid #WG18-31 - Communication Tower and Equipment Valuation Services for the Baldwin County Revenue Commissioner

[18-0611](#)

Award Competitive Bid #WG18-31 - Communication Tower and Equipment Valuation Services for the Baldwin County Revenue Commissioner to Cell Tower Solutions, LLC, per the Awarded Listing and authorize the Chairman to execute the Contract.

(Contract effective upon the same date as its full execution and shall terminate on January 7, 2019.)

**BE7**    Competitive Bid #WG18-32 - Purchase of Two (2) Animal Transport Body Units for the Baldwin County Commission

[18-0612](#)

Award Bid #WG18-32 to Bowie International, LLC, for the Purchase of Two (2) Animal Transport Body Units as follows:

Bid Amount: \$12,070.00 x 2 = \$24,140.00

Make/Model: Custom Fiberglass Coaches C-100

Delivery Time: 90 days ARO

**BE8**    Service Agreement for an Emergency Telephone System for the Elevators at the Baldwin County Central Annex II, Located in Robertsedale, Alabama for the Baldwin County Commission

[18-0614](#)

Authorize the Chairman to execute the Service Agreement with Kings III of America, LLC, d/b/a Kings III Emergency Communications, for the emergency telephone system for the elevators at the Robertsedale Central Annex II Building for one (1) year in the amount of \$78.00 per month to be paid quarterly.

**BE9**    Quote for Repairs to the Baldwin County MacBride Landfill Truck Scale and the Bay Minette Transfer Station Truck Scale for the Baldwin County Commission

[18-0613](#)

Take the following actions:

1) Award the quote to G. T. Michelli Co., Inc., in the amount of \$29,000.00 for the repairs to the MacBride Landfill Truck Scale and the Bay Minette Transfer Station Scale and authorize the Chairman to execute the Public Works Contract and Certificate of Compliance; and

2) Authorize the closing of the MacBride Landfill and the Bay Minette Transfer Station on differing Saturdays in July, 2018 for the repairs to be completed.

**BI COUNCIL ON AGING****BI1** Temporary Closure of the Vaughn S.A.I.L. Center[18-0618](#)

Approve the temporary closure of the Vaughn S.A.I.L. Center effective July 13, 2018, beginning at noon.

**BL ENVIRONMENTAL MANAGEMENT****BL1** Baldwin County Solid Waste Uncollectible Residential Accounts[18-0628](#)

Approve the uncollectible residential garbage accounts list for write-offs in the amount of \$1,679.31.

**BL2** MacBride Landfill and Eastfork Landfill Solid Waste Disposal Permit Renewals[18-0626](#)

Take the following actions:

- 1) Authorize the Chairman to execute three copies of Alabama Department of Environmental Management (ADEM) Form 305 for the Permit Renewal Applications for MacBride Landfill (Permit #02-11) and Eastfork Landfill (Permit # 02-12), at a cost of \$2,700.00 for each facility; and
- 2) Authorize the Clerk/Treasurer to issue two (2) interim checks payable to ADEM, in the amount of \$2,700.00 each, for the MacBride Landfill and Eastfork Landfill Solid Waste Disposal Permit Renewals.

**BN HIGHWAY****BN1** Fairhope Elementary School - Request to Stripe Car Rider Lanes[18-0633](#)

Approve the Highway Department (Traffic Operations) to stripe the car rider lanes at Fairhope Elementary School for an estimated cost of \$480.00 for labor. The Baldwin County Board of Education will be invoiced the actual cost of labor upon completion of the project.

**BN2** Downtown Fairhope Parking Shelter Project - Request for Pre-award Authority[18-0634](#)

Authorize the Chairman to send a letter to the Alabama Department of Transportation (ALDOT) requesting Pre-award Authority on behalf of the City of Fairhope for the Downtown Fairhope Parking Shelter Project.

**BN3** Execution of IRS Form 8283 for a Donated Right-of-Way on County Road 32 - Project No. 0203718 (Tract 2)[18-0638](#)

Take the following actions:

- 1) Accept 0.140 acres on County Road 32 - Project No. 0203718 (Tract 2) as a right-of-way donated to Baldwin County by Jonathan J. Walker and Kelly L. Cooksey-Walker on May 9, 2018 (Instrument No. 1695189 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

**BN4**    Execution of IRS Form 8283 for a Donated Right-of-Way on County Road 32 - Project No. 0203718 (Tract 3)

[18-0639](#)

Take the following actions:

- 1) Accept 0.319 acres on County Road 32 - Project No. 0203718 (Tract 3) as a right-of-way donated to Baldwin County by John Oliver Bodenmann and Laura Underwood Bodenmann on May 9, 2018 (Instrument No. 1695420 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

**BN5**    Amendment to the Development Agreement for a Buc-ee's Travel Center in Baldwin County

[18-0632](#)

Approve the first amendment to the Development Agreement for Preliminary Engineering, Right-of-Way Acquisition, Utility, Construction, Project Management and Funding between Buc-ee's Alabama, LLC, and the Baldwin County Commission. This first amendment amends that certain Agreement entered into on December 5, 2017.

## **BP    PERSONNEL**

**BP1**    BRATS - Employment of Two (2) Part-Time Bus Drivers

[18-0594](#)

Take the following actions:

- 1) Approve the employment of Linda Theisen to fill the open part-time Bus Driver position (PID #PT01) grade G-EL (\$12.967 per hour); and
- 2) Approve the employment of Elizabeth Young to fill the open part-time Bus Driver position (PID #PT05) grade G-EL (\$12.967 per hour).

These actions will be effective no sooner than July 23, 2018.



**BP2** Building Inspection Department - Employment of One (1) Building Inspector III

[18-0593](#)

Approve the employment of Robert Madison to fill the Building Inspector III position (PID #5278) at a grade K-01 (\$19.328 per hour/\$40,202.24 annually), with said salary due to experience, to be effective no sooner than July 23, 2018.

**BP3** Council on Aging Department - Creation of One (1) Part-time S.A.I.L. Center Assistant

[18-0620](#)

Take the following actions:

- 1) Approve the creation of one (1) part-time S.A.I.L. Center Assistant position (PID #TBD) (grade D range: \$9.836 - \$16.120 per hour); and
- 2) Approve the position description for the part-time S.A.I.L. Center Assistant; and
- 3) Approve the updated organizational chart for Council on Aging.

**BP4** Highway Department (Maintenance) - Promotion of Employee into Equipment Manager Position

[18-0595](#)

Take the following actions:

- 1) Approve the promotion of Eric Scott from the Engineering Technician I position (PID #865) grade H-03 (\$15.343 per hour/ \$31,913.44 annually) in the Highway Construction Department (53120) to fill the open Equipment Manager position (PID #1083) at a grade K-EL (\$18.856 per hour/\$39,220.48 annually) in the Highway Maintenance Department (53130) to be effective no sooner than July 23, 2018; and
- 2) Approve the updated position description for Equipment Manager.

**BP5** Probate Office - Employment of One (1) License Revenue Officer I

[18-0598](#)

Approve the employment of Brandy Milstid to fill the open License Revenue Officer I position (PID #3083) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) to be effective until July 23, 2018.

**BP6** Solid Waste Department - Employment of One (1) Solid Waste Technician

[18-0592](#)

Approve the employment of Sean Boyington to fill the Solid Waste Technician position (PID #5228) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) in the Solid Waste Maintenance Department (54370) to be effective no sooner than July 23, 2018.

**BP7** Solid Waste Department - Employment of One (1) Landfill Equipment

[18-0619](#)

## Operator II

Approve the employment of Eric Butler to fill the Landfill Equipment Operator II position (PID #5390) at a grade H-EL (\$14.246 per hour/\$29,631.68 annually) at Solid Waste McBride Landfill (54330) to be effective no sooner than July 23, 2018.

### **BQ PLANNING AND ZONING**

#### **BQ1 Baldwin County Planning and Zoning Commission - Board Appointment**

**18-0635**

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

- 1) Appoint Mr. Arthur Oken as a regular member of the Board (District 4 Nominee) for a four (4) year term, to fill the place-seat and expired term formerly held by Mr. Michael Kaiser, said term to commence on July 17, 2018, and expire on July 17, 2022; and
- 2) Thank Mr. Michael Kaiser for his civic service as a member of the Board.

### **C PRESENTATIONS**

#### **CA GENERAL**

##### **CA1 Employees of the Quarter for 1st Quarter 2018**

**18-0591**

Andrea Roberson, Personnel Director, appeared before the Commission and said today, six employees will be recognized as Employees of the Quarter. Some were carried over from the previous quarter. Ms. Roberson said employees from the Solid Waste and Highway Departments will be recognized today.

Frank Lundy, Baldwin County Highway Department Operations Manager, appeared before the Commission and said he would like to recognize a distinguished member of the Highway Department, Orie King. Mr. Lundy said Mr. King has been with the Highway Department for approximately two and a half years. In that short period of time, Mr. King has distinguished himself and set himself apart from others through his professionalism, integrity, and his genuine willingness to serve and help others. Mr. Lundy said Mr. King has become the "go to" person for the Highway Department and many other departments in the County. Mr. King has become a vital member in ensuring the election and polling sites are set up correctly to ADA standards and he is also the "go to" person when others need assistance in doing this properly and correctly. Mr. King does this with a grateful attitude. Mr. Lundy said every so often an employee will come along with the "it" factor or untrainable qualities. These qualities are only earned, gained or learned through raising. It is not something an employer can train a person in and Mr. King has this quality. The Highway Department is grateful to have Mr. King; he is a great asset to the County. If he continues on the path he is on, he will have a bright future with the County. Mr. Lundy presented Mr. King with the Employee of the Quarter Certificate.

Mr. King thanked the Commissioners for all they do for this great County. He thanked his co-workers and everyone else who has helped him along the way and said if it were not for them, he would not be here today to accept this award. Mr. King thanked Mr. Lundy and Joey Nunnally, County Engineer, for giving him the opportunity and helping him to grow as a professional and as a person.

Terri Graham, Development and Environmental Director, appeared before the Commission and said she is recognizing two different groups. The first group is for the 4th Quarter of 2017. Donald Sealy and Michael Creech are here today because they could not make it when the Employees of the Quarter were recognized the last time. Ms. Graham said they were nominated by a citizen on one of their routes. The citizen lost his wallet and Mr. Sealy and Mr. Creech were able to return the wallet to the citizen after they finished their route. This happened around the holidays and the citizen had a substantial amount of money on him; therefore, he was delighted to have Mr. Sealy and Mr. Creech return his wallet. Ms. Graham said it is worth noting that these two employees were given the same recognition five years ago for the same thing. They have a lot of honesty and integrity. Ms. Graham said she is grateful to have Mr. Sealy and Mr. Creech working for her department and for the County. She could not be more proud of them. Mr. Sealy has been with the County for 12 years and Mr. Creech has been with the County for six years. They have been together for a long time. Mr. Creech recently received his CDL license so he is driving now.

Ms. Graham introduced John Capers, Aaron Arquette and Brian Philyaw and said they were nominated by an elderly citizen who lived in her home with her handicapped daughter. There was a fire in the home and the citizen flagged them down. Mr. Capers, Mr. Arquette and Mr. Philyaw were able to get the citizen and her daughter out of the home, call the fire department and help them through that scary situation. Mr. Philyaw has been with the County for 10 years, Mr. Arquette has been with the County for one year and Mr. Capers has been with the County for a year and a half. Ms. Graham said she is super proud her employees are able to help citizens on a daily basis. The employees take a lot of pride in knowing the customers on their route. The County is blessed to have them.

Chairman Burt said the Solid Waste Department beat the first responders to the scene.

Commissioner Dorsey thanked Ms. Graham for recognizing her crew and said they all do a great job and the Commissioners appreciate that. Commissioner Dorsey thanked Mr. Lundy for recognizing Mr. King and said the County will take 600 more like Mr. King.

## **E COMMITTEE REPORTS**

### **EA FINANCE/ADMINISTRATION DIVISION**

#### **EA1 Payment of Bills**

**18-0596**

Motion by Commissioner Tucker Dorsey, seconded by Vice Chairman Charles F. Gruber, to pay bills totaling \$3,013,228.19 (three million, thirteen thousand, two hundred twenty-eight dollars and nineteen cents) with the exception of Vendor 77, which is listed

in the Baldwin County Accounts Payable Payments - July 17, 2018, for a revised total of \$3,012,890.22.

Of this amount, \$452,728.93 (four hundred fifty-two thousand, seven hundred twenty-eight dollars and ninety-three 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., Tucker Dorsey, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 1 - Chris Elliott  
**Abstain:** 0

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Tucker Dorsey, to to pay vendor 77 in the amount of \$337.97.

Vendor #77: Dorsey, Jasper T. \$337.97

The motion passed by the following vote:

**Aye:** 2 - Frank Burt Jr., and Charles F. Gruber  
**Nay:** 0  
**Absent:** 1 - Chris Elliott  
**Abstain:** 1 - Tucker Dorsey

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

[18-0597](#)

Ron Cink, County Administrator/Budget Director, informed the Commission that the Baldwin County Interim Payments - July 17, 2018, made by the Clerk/Treasurer totaling \$3,491,245.93 (three million, four hundred ninety-one thousand, two hundred forty-five dollars and ninety-three cents) are a part of the record.

Ron Cink, County Administrator/Budget Director, said it is not yet 9:00 a.m. Chairman Burt can continue through Commissioners Request; there are no other staff recommendations or addenda.

Chairman Burt said today is election day and he hopes the turnout is large.

Mr. Cink said maybe a recess is in order for 13 minutes.

Chairman Burt said he will take a minute to explain the scars on his face, he did not get them in a struggle or a fight. Every six months he goes to a dermatologist. In the south, the

sun gets the hottest. Citizens should be particular and careful about their skin; he has done this for a long time. Many times, doctors catch pre-cancerous places that need to be removed or a basil cell carcinoma that definitely needs to be removed. It is rare for them to come back. Chairman Burt said yesterday, his dermatologist found a basil cell that he will have removed tomorrow morning. He encourages everyone to be careful and see their dermatologist.

### Recess

Chairman Burt recessed the meeting at 8:49 a.m.

The meeting reconvened at 9:01 a.m.

## **EB ROAD AND BRIDGE DIVISION**

## **D PUBLIC HEARINGS**

### **DQ PLANNING AND ZONING**

#### **DQ1 Baldwin County Planning and Zoning Commission - Removal of Member**

**18-0627**

Vince Jackson, Planning Director, appeared before the Commission and said this item involves the removal of a member of the Planning and Zoning Commission. The reason for the removal is due to lack of attendance. Staff has reached out to this individual numerous times, but has had no communication. Staff is now at the point where they have to move on. The statute that sets up the Planning and Zoning Commission requires this be done in a public hearing. Mr. Jackson said that is why he is before the Commissioners today requesting for this member to be removed.

Chairman Burt opened the public hearing at 9:03 a.m. and asked if there is anyone present who wishes to speak.

David Conner, County Attorney, said the Planning Commission By-laws state a member who misses three consecutive regular meetings without cause or misses a total of four regular meetings without cause in any calendar year (January through December), will be referred by the Chair of the Planning Commission to the County Commission for review and action. Mr. Conner said this individual has satisfied both of those requirements. Section 45-2-261.01 of the State enabling legislation that provides for zoning states "The Baldwin County Commission may remove any member for cause upon written charges and after a public hearing." It does appear that based on the information provided by Mr. Jackson that it is up for consideration by the Commission for her removal based on cause. Mr. Conner said it is his understanding that Ms. Cassie Boatwright has been attempted to be contacted by telephone, but has also served in writing of these charges by mail.

There being no requests to address the Commission, Chairman Burt closed the public hearing at 9:04 a.m.

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Tucker Dorsey, to take the following Actions:

- 1) Conduct a public hearing to consider the removal of a member for cause; and
- 2) Approve the removal of this member from the Baldwin County Planning and Zoning Commission, effective July 17, 2018.

Commissioner Dorsey asked if there was a reason the name of the member was not mentioned.

Mr. Conner said he mentioned a name.

Vice Chairman Gruber withdrew his motion.

Commissioner Dorsey withdrew his second.

**DQ1** Baldwin County Planning and Zoning Commission - Removal of Member

[18-0627](#)

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Tucker Dorsey, to approve the removal of Cassie Boatwright from membership from the Baldwin County Planning and Zoning Commission, effective July 17, 2018.

The motion passed by the following vote:

**Aye:** 3 - Frank Burt Jr., Tucker Dorsey, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - Chris Elliott

**Abstain:** 0

Prior to the vote, Chairman Burt asked Mr. Jackson if there is anything he would like to add.

Mr. Jackson said he has a person in mind as a replacement; he is working out the details on it. Attendance can sometimes be an issue and this action will help the Planning Commission get back to its full membership. He hopes it will be a membership that will be more diligent about its attendance. Mr. Jackson said the Planning Commission should be at its full membership by next month and staff will then conduct training sessions.

Mr. Conner said all Planning Commission members serve without compensation and there are many that do not miss a meeting. They all work hard to give a good representation of the County Commissioners to the community and the public that come before them. Mr. Conner said for the ones who are serving and attending, it is worth recognizing them for the great work they do for the County.

Commissioner Gruber said when the members volunteer for this, they do not realize how

important this board is. This board reviews every subdivision and every piece of property that requests a change. The Planning Commission members play a very important role. The board should have members there who will attend in order to conduct the meetings. It is not fair to the people who attend the meetings for it to be cancelled because there is not a quorum present. Commissioner Gruber said he is glad the Commission is able to do this.

Commissioner Dorsey said the Planning and Zoning Commission is the most important board appointments the Commissioners make. Although he has not attended a Planning and Zoning meeting lately, he is thankful to all who serve. It is expensive if there is no quorum and the meetings are cancelled. It is expensive for the people who come to the County to get their business done. The Commission does not want to hold citizens up for months on end. There is a period of advertising required for the Planning and County Commissions. This could be a 90-day process and this could be expensive. This is an important job and the Commissioners appreciate the board members who want to do it. Commissioner Dorsey said he appreciates Mr. Conner and Mr. Jackson and his staff and said they do a great job.

**DQ2** Case No. Z-18027 - Wentworth Property Rezoning

**18-0623**

Vince Jackson, Planning Director, appeared before the Commission and provided the staff report on the subject property.

Chairman Burt opened the public hearing at 9:12 a.m. and asked if there is anyone present who wishes to speak.

Mr. Jerry Garner appeared before the Commission and provided the Commissioners with a hand drawn map of the subject property. Mr. Garner said he lives in Lillian a couple of lots down on the north side of the subject property. He commended the Commissioners for recognizing their Employees of the Quarter. It goes a long way when people are recognized for doing a good job. Mr. Garner said the B-4 designation is a Major Commercial District designation. Under the statute, if the property is rezoned to B-4, then anything under the B-3 designation is good to go too; it is grandfathered in. Anything from a racetrack to a bar can be placed there. One of the reasons he is against this is that just west of the subject property there are two parcels with one of the parcels zoned as B-4 and it was for a car lot. There are cars, tractors, a boat and RVs on that lot. Now there is a sign on the lot that says "commercial property for lease." Mr. Garner said if that property is leased to someone else, that person can do whatever they want to do under the B-4 designation. The adjoining property owner was denied their request for a RV/boat storage. The subject property has a "for sale" sign on it. The owners are asking \$1.5 million for the 39 acres; this is approximately \$38,000.00 per acre. It sounds like commercial property prices, so the applicants must be sure this will happen. The applicant has to have a land usage permit to do what he wants to do. Mr. Garner said if the applicant gets a RV-1 permit, he can have 15 spots per acre on this property which could go up to 585 sites if it was all an RV park. If the applicant got a RV-2 permit, it would allow six per acre which would only be 234 sites. Either way, that is a lot of big, slow vehicles entering a two-way road with a 55 MPH speed limit. Mr. Garner referred to the map he handed out and said most vehicles are coming from the east. It is a 45 MPH zone with a blind curve at the corner of Perdido Street where residents have tried to place a traffic light

there. There have been a lot of traffic accidents there. Mr. Garner said at the top of the hill where the curve starts, to the left is a Chevron station. In that area, west of Victoria Lane it goes into a 55 MPH zone. The people coming from the east to the middle of this 39 acres have approximately eight seconds of not being seen to where the RVs will enter the highway. If a person is turning west on Highway 98, they will come up behind the RVs that takes a half mile, under normal acceleration to get up to 55 MPH. No one can tell if anything is coming because they cannot see around the curve and down the hill. The statute states this designation is for business uses that require location with access to arterial or major collector roads. Mr. Garner said Highway 98 is a State highway and at one time it was considered a main arterial road before the four-lanes and Interstate were put in. The statute states that ingress and egress to the roadway should promote safe and smooth traffic flow for the general traveling public. It was also the intent of this district to provide areas of business which, because of their intensity, outside storage areas, or large volumes of traffic, would have significant negative impacts on adjoining properties. These uses often have an actual or potentially negative impact on surrounding properties. Mr. Garner said he was a little disturbed last night when he saw Resolution #2018-094 on the internet. There are a lot of "whereas" in the resolution, but the bottom paragraph states "Be it resolved, by the Baldwin County Commission, in regular session assembled, that the petitioner's request to rezone the property (Case No. Z-18027, Wentworth Property) as herein identified and described and as found within the confines of Planning (Zoning) District No. 33 from RA, Rural Agriculture District, to B-4, Major Commercial District which amends the Planning (Zoning) District Boundary designations of the Planning (Zoning) District No. 33 Official Map, is hereby approved." Mr. Garner said this document has everything but the signatures.

Commissioner Dorsey said the Commission's agenda has every document related to this case. If the request is approved, that is the document the Commissioners will approve the Chairman to sign. It has not been approved yet; therefore it is not signed and is not approved until the Commissioners make the motion to approve it. If the Commissioners say "yes," then the document is in there.

Mr. Garner asked if there is an item like this resolution that says "no."

Commissioner Dorsey said if the Commission says "no" then there is nothing to approve. Commissioner Dorsey said to not worry about that resolution; it is not what Mr. Garner thinks it is, staff puts all the paperwork in the agenda. Today's agenda is 407 pages; it is everything the Commissioners will or will not consider for today.

Chairman Burt said more paperwork was added to the agenda today.

Ms. Kim Wright appeared before the Commission and said she has been a resident of Lillian, Alabama, for 16 years. She wishes to express her concern about the rezoning proposal request to allow an RV park and storage. When crossing the Lillian Bridge from Pensacola into Lillian, the first things a person sees are three title loan places, a fireworks store, two gas stations, two convenience stores, a body shop, an RV sales lot, an empty strip mall, an abandoned trailer that used to be a business, an empty tire shop and an empty restaurant. Ms. Wright said there is already a KOA campground on the south side of County Road 93 and there are at least two other RV trailer areas on the northside of



County Road 99. There is an RV storage business across from County Road 97 as well as car lots all around the area. There is another RV area in the Soldiers Creek area, just up the road in Elberta. Ms. Wright said earlier someone mentioned the numerous storage areas there and that is why it would be appropriate to put another storage business there because there are already so many there. She would like to know when enough is enough. There are that many there now, it does not make sense to keep adding them. Just past a mile or so of the ugliness of Lillian, there is a beautiful million dollar house, as well as nice homes and farms that are dotted along the way. Lillian is largely about the farming area and it is largely agricultural with family farms that go back three and four generations. Ms. Wright said their beautiful community with pretty farms, parks and a pier is becoming another stretch of highway that looks like a rundown business strip. Is another eyesore needed in this quaint little community like an RV camping and storage area? In her experience, these places allow people to homestead at these sites and they become overgrown, unkept and trashy looking. Ms. Wright said she lives a few hundred yards up the road, and she does not want to see all of this. The home across the street from her is a million dollar home and she is sure the homeowner does not want RVs parked along his property. She feels the traffic will also be negatively effected as these RVs pull in and out along that stretch of highway. The speed limit in front of her house is 55 MPH. She is concerned the houses' and farms' property values in this area will be negatively affected. Ms. Wright said lastly, she is concerned about the environment. This kind of facility will require massive septic tank systems and hookups for the dumping of raw sewage. She does not want to smell it or worry about any spills or contaminations in this beautiful location. She respectfully requests this initiative for the RV park and storage area be denied. Ms. Wright thanked the Commissioners for their time and consideration.

Ms. Bette Logan appeared before the Commission and said she agrees with what everyone else is saying. There are three RV parks that are already there. They start out nice and follow the rules, regulations and laws. As the years go by, they no longer do this. The park owners do what they want to do and the parks get trashier. The police were called last week and she has seen drugs. Ms. Logan said Lillian is their town. The Commissioners would not want their town to look like Lillian. As Ms. Wright stated, Lillian is starting to look trashy. She moved here 18 years ago, because it was beautiful; now it is not. There is enough storage there. This RV park will start off nice. She has fought the Planning (Zoning) Commission for 15 years and it will not end. Ms. Logan said she has a hot dog cart on Highway 98 and County Road 93 and she recently counted over 50 18-wheelers driving on Highway 98. The speed limit is 55 MPH, but people are really driving 65 MPH. The speed limit does not change to 45 MPH until past the gas station. If someone pulls out with a 5th wheel along this road and is killed, it will be on the Commissioners hands. There are too many accidents on Highway 98 and County Road 93. There have been six accidents and two deaths in the seven years she has had her cart there. The roads and speed limit have to be fixed and traffic lights have to be added. Someone will get killed by pulling out of that RV park. Ms. Logan said it is too much and the residents do not need all of this. They moved to Lillian because it was their town and it was beautiful. Now, it is ruined because people want to come in, change it and make money. The Commissioners do not want this in their town, they cannot say they do.

Commissioner Dorsey said Ms. Logan mentioned the problems down there at the last work session. The Sheriff's Office has responded to that location 15 times in the last year.

Mr. Bob Stinnet appeared before the Commission and said he lives on US Highway 98 in Lillian, Alabama. His property abuts the subject property. His 15 acres is next door to the applicant's 39 acres. He has lived there for six years and in that time there have been approximately 12 accidents in the area. He takes his life in his hands when he pulls out of his gate. The speed limit says 55 MPH, but people go faster. The traffic is more congested past the applicant's property. Mr. Stinnet said six months ago, he and his wife looked into buying an RV park. They did their homework and research. The first thing he did was research RV parks in Baldwin County. There are many parks in the County. He came close to buying the RV property, but he backed away because the owner advised him to get full-time residents to the park. If he got full-time residents there with RVs or fifth wheelers, then he would have a trailer park. Mr. Stinnet said he decided he did not want to get involved in that. He and his wife received a dozen letters addressed to the "Doll House" when they first moved there. He is mentioning this because the property is so pretty. If he has to look at up to 150 RV spots, he will not be happy. Today is election day. He gets to find out how the Commissioners will vote on this request and then he gets to go and cast his vote.

Mr. Harold McGehee appeared before the Commission and said he has lived in Lillian, Alabama, for approximately 48 years. He has three or four points to bring up. First the water and sewage is not there to support an RV park. Work was just recently completed on the sewer on County Road 99. They increased the holding pond and ran a pipe 8 1/2 miles from County Road 99 to a creek to dump the processed water. Every time it rains, it floods, manholes pop open and there is sewage everywhere. Mr. McGehee said he recently had a meeting with the sewage department and he was assured that this would solve the problem. It will be alright to add 50 to 100 RV spaces because residents can just dump more stuff into Perdido Bay because what has been done for years. A few years ago, there were a lot of accidents along Highway 98 and Barclay Street. The road had to be closed because of accidents. Mr. McGehee said Lillian does not have the sewage or water to take care of this and traffic is bad in this area. Lillian does not need more RV parks, there are three there now. One RV park was under the "Grandfather" clause and was just sold. The "Grandfather" clause was removed which means it is supposed to be brought up to today's standards. The second park has approximately five RVs there and are so close that if there is a fire, the entire park will go up in flames. This park is working on one septic tank and in the summertime that septic tank overflows. The third park is on 6th Street, just before Highway 98. Mr. McGehee said none of these are safe as far as the electrical and requested the Commissioners have someone go and inspect these RV parks. The applicant will say he will do all of these good things, but once it is approved, he will more or less do what he wants to. Then there will be people like him who are fighting this. Mr. McGehee encouraged the Commissioners to turn this request down.

Ron Cink, County Administrator/Budget Director, said he does not have anyone else scheduled to speak, but there may be someone in the audience who wishes to address the Commission.

Chairman Burt asked if there was anyone else present who would like to speak on this issue.

Mr. David Wentworth, the applicant, appeared before the Commission and said he owns the property and put in the rezoning request. There are a lot of things said that he does not agree with. First of all, regarding the sewage, he has been to the Health Department and can put in septic tanks and wells, which he plans to do. He will meet code in every way. Mr. Wentworth said he can think of a solution to fix the speeding other than speed bumps. Someone complained about the Lillian Bridge; he has nothing to do with that, the residents should tackle this and get it fixed. It is not his responsibility to fix it because the residents do not like the junk downtown. Mr. Wentworth said he agrees with the gentleman who talked about the other RV parks, they are a disgrace. He has had an RV park that he built from scratch. If someone builds a quality park, that is the type of people that will live there. If a junk park is built, that is the type of people who will live there. Mr. Wentworth said it all depends upon the environment.

Commissioner Dorsey said during the recess, Mr. Wentworth mentioned there were comments missing from the minutes transcript. Those comments are in the Commissioners' packet which is what was published online. The entire conversation starts on page 38 of the transcript, just as Mr. Wentworth described.

Mr. Wentworth said he did not see it and thanked Commissioner Dorsey. During that Planning (Zoning) Commission meeting, the Chairman stated he was going to approve this until Mr. Wentworth said he would have gravel roads. The code book says he can have gravel roads. The code book is all a developer has to go by. Mr. Wentworth said he has to have all of this done before he can get the zoning changed. He does not want to go through that expense without knowing if this is approved. He will meet all of the codes. Mr. Wentworth said there will be 150 sites; everything will be first-class. The storage units will not be out in the middle of the field. They will be in buildings, covered sites which no one around is doing. Some of these units cost \$500,000.00 and people will pay to have covered storage. Mr. Wentworth said this will not be a junk operation. Right now, it is zoned for agriculture; he could have a hog farm there.

Mr. Garner appeared before the Commission and said Mr. Wentworth has a brand new real estate sign on the property and now he is talking about building a RV park. Mr. Garner is wondering which one will Mr. Wentworth do. If Mr. Wentworth gets the property rezoned and sells it, that is fine or if he gets it rezoned and builds an RV park, that is also fine. However, the residents do not know what may be there if Mr. Wentworth sells the property and someone else gets it because it is already zoned B-4.

Mr. Wentworth said it does not make any difference what goes there because it has to meet the code. This is the first step, everything has to meet the code.

Chairman Burt said or Mr. Wentworth can sell it and someone else build to code.

Mr. McGehee appeared before the Commission and said he would like to know if Mr. Wentworth intends to build this RV park himself or is he getting this zoned to lease the property or sell it to someone else who wants to put in a RV park.

Chairman Burt said Mr. Wentworth does not have to answer that question unless he chooses to.

Ms. Logan appeared before the Commission and said even if Mr. Wentworth puts in a million dollar RV park and goes by all of the rules and regulations, the other RV parks started out with the same thing, but as years went by they did what they wanted. Another thing is the traffic, the accidents, and the deaths. It is very dangerous on Highway 98 between County Road 91 and the Chevron station. The roads have to be fixed, the speed limit lowered and lights put in. Ms. Logan said this is their town and there is enough stuff there. Maybe they should have fought this more before, but they are fighting now. They are fighting for their town.

Chairman Burt said Mr. Wentworth is fighting for his property, but he understands what Ms. Logan is saying.

Ms. Francis Garner appeared before the Commission and said she lives across the street from the subject property. She has a child who has gone to Elberta Elementary since Pre-K and Ms. Garner gets up every morning to take her to the bus. People go around the bus. She can no longer cross the street in the afternoon because the traffic is so bad. Ms. Garner said no one will even look. The residents never see law enforcement out there. What is the difference with all of the other traffic that will come in? What about the children who live on Highway 98? Ms. Garner said a half mile from her is another group of children who ride the bus. The bus driver told Ms. Garner the same thing, no one stops for the bus. If there is that much traffic there already and a possibility of 50 more vehicles pulling out on to the highway, that will not be very good.

Mr. Jackson said staff knows RV parks are an issue throughout the County, in zoned and unzoned areas. That is probably the lion's share of complaints staff has received. At some point soon, he would like to have a discussion with the Commissioners about the RV regulations as they apply in zoning and what can be done to make them better. The three RV parks currently in Lillian were not developed under these rules and regulations. There were no zoning or subdivision requirements at that time that would have been applicable. There may have been things done to satisfy the health department; the requirements the County has set about were not on the table back then. Mr. Jackson said it is difficult when something like this exists prior to zoning. It is difficult, years later, to take the regulations the Commission has now and make them apply. When ownership does change, the way the "grandfather" status would be lost is if the owners changed to a different use or abandoned the use for a year. Otherwise, it continues. Staff has found that when there is a new park developed under the current requirements, it is easier to make sure the owners maintain those requirements. It is a lot more difficult when there is something old that was never built to those requirements to begin with. Mr. Jackson said it was stated that staff was not enforcing the RV park regulations and that is not true. Staff does not always get the results wanted because there are limitations to what can be done. There are limitations on staff's ability to go on to people's property. There has to be definitive proof about things. Ultimately, if staff cannot get compliance, they have to go to court, which could take a year, or longer. Mr. Jackson said he wants to talk with the Commissioners about what can be done in the future to make it better. It does not do anything about this situation today, but it is something staff wants to look at. Staff knows it is a problem and they receive calls about it all the time. There is a limited number of people to work with and regulations sometimes tie their hands, but staff wants to make it better. Mr. Jackson said

he wants to address the staff recommendation. A lot of times, there are comments from citizens when staff has a recommendation and there is a situation where there is a lot of opposition. Staff will be questioned as to how they can recommend this with all of the opposition. Mr. Jackson said staff has very broad standards by which a rezoning request is evaluated. The purpose of staff's recommendation is to provide information to the Planning Commission, first, which is the actual recommending body and then in turn, provide that information to the Commissioners. In a rezoning request, staff looks at whether property should be rezoned. The potential use is a part of it, but staff is looking at things like what is happening on the other properties and what are the other properties rezoned as. In the staff report, storage is mentioned as being located in the area. That is there to say that these activities are going on. Staff is not commenting on whether they think it should be more storage or what the appropriate amount of storage is. Staff is just providing information to the Commissioners as far as what the activities are that are already in place. Mr. Jackson said when it comes down to it, staff thinks this property will not remain rural agricultural and it is unlikely that it will be developed as residential property. This property may not be rezoned today, but there will be a time when it happens and staff will be back here again. Staff's recommendation is to provide analysis. It is not personal and staff does not have a stake in it. A lot of times, when they write the staff report and it is sent to the Planning Commission, staff does not know there is opposition. A lot of times, staff does not know there is opposition until the reports have gone out or until it gets to the Planning Commission. If staff has made a recommendation, they cannot change it. It would not be right to change a recommendation because staff has discovered there is opposition. Mr. Jackson said he wants to make sure people understand that staff is evaluating standards and it is not anything personal. He hopes staff is not viewed as adversarial because they provide a recommendation that people may not be expecting; it is just a part of the process. Ultimately, the public hearings are the most important because that is where the Commissioners get to hear from the people. Staff appreciates the public's participation and comments; their comments are well taken. Mr. Jackson said he wanted to explain this because staff is asked why it makes the recommendations. It is not personal, staff does all it can to keep the personal out of it. It is a matter of looking at things, evaluating things and presenting that information to the Commission.

Chairman Burt said Mr. Jackson does a good job. He makes a recommendation based on the facts and the long term development in the area. While this would approve the area for an RV park, it would also be approved for many other uses. Chairman Burt asked if David Conner, County Attorney, had anything to add.

Mr. Conner said he has nothing to add, but the Chairman must officially close the public hearing for record purposes.

Ms. Monica Leonard appeared before the Commission and said she is a resident of Lillian, Alabama. She wants to ask Mr. Jackson why would this property not be zoned as residential?

Mr. Jackson said he did not say it would not be zoned, he said it would be unlikely to be rezoned as residential. A part of the reason it is unlikely is that there is already commercial property to the east and light industrial to the south. It is not necessarily a given that it would not be zoned residential, but he feels it is unlikely. Also, with a single

family subdivision, a person could request an automatic rezoning to RSF-1. This would not go through the process, only the subdivision part. Over 40 lots could potentially go in there. Using trip generation models with each lot generating nine trips a day would be a significant amount of traffic. In some cases that is more traffic than with commercial development. Mr. Jackson said he did not know if anyone would necessarily want to see residential development there either. He just feels that it is unlikely; it is not impossible. There has been no one to request it. Given the fact that there is commercial zoning adjacent and the light industrial to the south, he feels it is very unlikely; not impossible, but unlikely.

Ms. Leonard said she is on the Board of the Lillian Recreational Park and she is concerned about having more storage businesses and RV parks in the area. Her property abuts to the a storage business and it gets to be an eyesore. She is concerned about that and some of the crime associated in the area.

Mr. Jackson said staff has received a lot of requests for RV parks and storage businesses. That is what a lot of people want to do right now. A part of the reason for the storage requests is it is an easy thing to establish on a piece of property. Another reason is there are a number of subdivisions and neighborhoods that will not allow homeowners to keep RVs on their property. People are looking elsewhere to store their RVs. Mr. Jackson said there were more requests during the most recent Planning Commission meeting and there are more coming up. Virtually, every month someone is asking about RV storage. Staff is at a point where there should be definite standards for RV storage. This has been mentioned to him by members of the Planning Commission and is something staff will be looking at in the coming months. Mr. Jackson said staff will probably come back with a text amendment; it is something staff wants to pursue.

There being no further requests to address the Commission, Chairman Burt closed the public hearing at 9:59 a.m.

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Tucker Dorsey, to deny the request regarding Case #Z-18027 - Wentworth Property, as it pertains to the rezoning of 39.38 acres, more or less, as located in Planning (Zoning) District 33.

The motion passed by the following vote:

**Aye:** 3 - Frank Burt Jr., Tucker Dorsey, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - Chris Elliott

**Abstain:** 0

Ms. Garner said the residents welcome new businesses to Lillian that will be creative. They would love to have something that will be substantial to them. This would make a lot of difference because the community needs businesses there that will stay there and be with Lillian. Mr. Wentworth does not live in Lillian. Ms. Garner said the residents want a business that will be there and stay with them.

Chairman Burt said he understands what the residents want, but people do have property

rights. The Commissioners try to be careful to adhere to those rights as best they can.

**DQ3** Case No. Z-18028 - Lazzari Property Rezoning

**18-0615**

Vince Jackson, Planning Director, appeared before the Commission and provided the staff report on the subject property.

Chairman Burt opened the public hearing at 10:02 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 10:02 a.m.

Motion by Commissioner Tucker Dorsey, seconded by Vice Chairman Charles F. Gruber, to adopt Resolution #2018-093, which approves Case No. Z-18028 - Lazzari Property, as it pertains to the rezoning of approximately 19 acres located in Planning (Zoning) District 15, from RA, Rural Agricultural District, to B-3, General Business District.

The motion passed by the following vote:

**Aye:** 3 - Frank Burt Jr., Tucker Dorsey, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - Chris Elliott

**Abstain:** 0

Commissioner Dorsey said he looks forward to the discussion on the RV parks. He has done some homework on the last case and has seen some of the smaller parks. The Commission needs to tighten up a little bit. Commissioner Dorsey said he appreciates Mr. Jackson's initiative on this.

**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**

Mr. Peanut Crawley of Lillian, Alabama, appeared before the Commission and said he would like to make a comment because of the situation that just happened and what was planned to be built there. The road coming in to the foot of the Lillian bridge from Florida will be three-laned. There is an expansion going on in Spanish Cove, where people mainly over 60 stay. They drive slower and more dangerously. Things need to be done in the Lillian area. There are more accidents happening in that area. Something has to be done about the traffic situation. People will come in from Florida on to the Lillian Bridge and will lend to more accidents if something is not done. Mr. Crawley said it needs to be planned now.

Commissioner Gruber said the Alabama Department of Transportation (ALDOT) has looked at the intersection of Perdido Street and Highway 98. There was discussion about putting a traffic light there, but ALDOT did not recommend doing that. ALDOT recommended doing some other things and it is working on coming up with some intersection improvements for Perdido Street now because of all the accidents. Commissioner Gruber said Joey Nunnally, County Engineer, has been involved in trying to get something worked out.

Mr. Nunnally appeared before the Commission and said staff has looked at this with ALDOT and will continue to keep an eye on it.

Mr. Harold McGehee appeared before the Commission and said this is the first most of the residents have heard about any changes or ALDOT working in the Lillian area. Is there a way to receive information on what is taking place or what is planned?

Commissioner Gruber said Mr. Vince Calametti with ALDOT has been at the meetings with the Lillian Civic organization to discuss this and what can be done. ALDOT is still working on something and there have been meetings with the people down there. The residents are aware of what is going on.

Mr. McGehee asked if something could be posted in the local monthly newspaper; it would help with having 15 people here for one issue.

Commissioner Dorsey asked Mr. Nunnally if something could be posted in the local newspaper to inform the people of what is going on.

Mr. Nunnally said the Metropolitan Planning Organization (MPO) in Pensacola incorporates the Lillian area as well. Some of the stuff that has been discussed is taking place in the MPO. He could get Sarah Sislak, MPO Coordinator, to write something up and brief everyone on this, as well.

Chairman Burt said Florida's MPO has jurisdiction in this area. Commissioner Gruber serves on the Board.

Commissioner Gruber said all of the Commissioners can be a part of the board at any time. The Florida-Alabama Transportation Planning Organization (TPO) has a Citizens



Advisory Committee. Mr. Buzz Worley was very active on that committee. He passed away and no one else has been willing to step forward and attend the meetings. He has asked people to consider this. There is a TPO application to fill out and a process to go through. There is a lot that goes on with the citizens part of it.

Commissioner Dorsey asked if anyone was interested in filling out an application for the TPO could they contact the Highway Department.

Mr. Nunnally said absolutely, that would be great.

Commissioner Dorsey said when the new census comes out in 2020, could the County work on building a MPO for the south Baldwin area, rather than working with Florida on the TPO. It's a challenge, but it would be beneficial to the entire County.

Mr. Nunnally said it would be great if that could happen. The municipalities and communities in South Baldwin would make a great MPO.

Commissioner Gruber said the only thing about creating another MPO is the statute. It involves the area they are allowed to extend into; this is why Lillian is included in the Pensacola TPO. The Eastern Shore MPO goes all the way to Loxley. There may be something to work out with the Federal government. If the Commission creates a MPO it does not need to be co-mingled.

Commissioner Dorsey said Loxley was gerrymandered into the population count to get to 50,000. If the Commissioners push it enough, they can get Gulf Shores, Orange Beach, Elberta, Foley and Lillian into it.

Commissioner Gruber said Lillian was pulled in because of Spanish Cove and Orange Beach was pulled in because of the population.

Chairman Burt said this happens after a census.

Mr. Nunnally said Orange Beach was pulled in after 2010. Things will change a bit more with the 2020 census.

## **N PRESS QUESTIONS**

## **O COMMISSIONER COMMENTS**

Commissioner Dorsey said it has been mentioned that today is election day and this is the place where the Commissioners do the people's business. He would like to thank the communities and campaign volunteers and not just for the Commissioners. He is thankful for people to be involved in Baldwin County, having a heart for Baldwin County and having a passion for what they believe the future ought to be. Commissioner Dorsey said he is thankful for everyone working on the benefit for the entire County and being a part of the process to select the government leaders. It is encouraging to know that when people get involved and work as a community, they will get better results. Commissioner Dorsey thanked the public for the opportunity to serve.

Commissioner Gruber said he went through the election process and will be on the ballot

in November. However, there is not a Democratic or Independent opponent. He would like to thank the citizens for trusting him to do the job he has done for the last 12 years. It is a passion of his to serve the County. Commissioner Gruber said he loves the County and the citizens of the County. He appreciates them trusting him to continue to do the job.

## **P      ADJOURNMENT**

Motion by Commissioner Tucker Dorsey, Seconded by Vice Chairman Charles F. Gruber, to adjourn the July 17, 2018, Baldwin County Commission meeting at 10:14 a.m.

The motion passed by the following vote:

**Aye:**            3 -    Frank Burt Jr., Tucker Dorsey, and Charles F. Gruber

**Nay:**            0

**Absent:**        1 -    Chris Elliott

**Abstain:**      0

Chairman Burt said the meeting is adjourned at 10:14 a.m.

A handwritten signature in black ink, appearing to read "Frank Burt Jr.", with a stylized flourish at the end.