

Baldwin County Commission

Baldwin County Commission
Regular
Meeting Minutes
Tuesday, August 7, 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: 4 - Chairman Frank Burt Jr., Commissioner Chris Elliott, Commissioner Tucker Dorsey, and Vice Chairman Charles F. Gruber

Absent: 0

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

The Chairman called the meeting to order at 8:32 a.m. and introduced Miranda N. McKinnon, Baldwin County Commission Administrative Support Specialist III, who appeared before the Commission and led the Commission in prayer. After the pledge of Allegiance led by Commissioner Chris Elliott, 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 17, 2018, Baldwin County Commission regular meeting.

Motion passed by the following vote:

Aye: 4 - Frank Burt Jr., Chris Elliott, Tucker Dorsey, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

B CONSENT

Motion by Commissioner Chris Elliott, seconded by Commissioner Tucker Dorsey, to adopt the consent agenda.

The motion passed by the following vote:

Aye: 4 - Frank Burt Jr., Chris Elliott, Tucker Dorsey, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

BA ADMINISTRATION

BA1 Acknowledgement of Amended Tax Abatement - Kaishan Compressor (USA) LLC

[18-0711](#)

Take the following actions:

1) In observance with §40-9B-5(d), Code of Alabama (1975), acknowledge receipt, on July 5, 2018, and by certified mail, of a "Resolution," by the Loxley Industrial Development Board, Loxley, Alabama, granting an "Tax Abatement" to Kaishan Compressor (USA) LLC.

This tax abatement amends the previous tax abatement granted to Kaishan Compressor (USA) LLC, on May 8, 2018, by the Loxley Industrial Development Board and acknowledged by the Baldwin County Commission at its regularly scheduled meeting on June 19, 2018; and

2) Forward to the Office of the Revenue Commissioner of Baldwin County and the Office of Probate Judge of Baldwin County the "Resolution" and associated attachments informing the Baldwin County Commission of the aforementioned grant of such amended "Tax Abatement."

BA2 Amended Application to Establish Private Cemetery - Lloyd G. Hastings Family Cemetery

[18-0712](#)

Due to a scrivener's error in the legal description found on "Exhibit A" to the Application to Establish a Private Cemetery (Lloyd G. Hastings Family Cemetery), which was approved by the Baldwin County Commission on June 19, 2018, take the following actions:

1) Approve the Amended Application to Establish Private Cemetery, which corrects the scrivener's error in the legal description, as submitted by Eric L. Hastings and Jennifer, acting by and through William L. Brantley, his attorney of

record and filed at Probate Office on June 27, 2018; and

2) Authorize the Chairman to execute any and all necessary documents and/or orders related to the Baldwin County Commission's approval to establish the Lloyd G. Hastings Family Cemetery.

BA3 Annual Advertising Contract with Gulf Coast Newspapers for FY 2018-2019

[18-0729](#)

Approve the annual contract between the Baldwin County Commission and the Gulf Coast Newspapers for display and legal advertising rates for all departments of the Baldwin County Commission as follows:

Legal Advertising Display Rates

Based on \$11.00 pci (per column inch) rate for all papers

Legal Advertising Per Word Rates

\$.28 per word with each additional run date same ad: \$.28 per word

The contract will be effective and commence September 3, 2018, for a term of one year, expiring September 3, 2019.

BA4 *City of Fairhope Annexation Notice

[18-0706](#)

Authorize the placement of the City of Fairhope Annexation Ordinance Number 1619 an Ordinance amending Ordinance Number 1253 known as the Zoning Ordinance and Ordinance Number 1621 annexing property into the corporate limits of the municipality of the City of Fairhope, Alabama, into the minutes of the August 7, 2018, Baldwin County Commission meeting with the proper notifications to the following departments/organizations:

Baldwin County Commission Departments

Baldwin County Commission

Building Inspection Department

Communications/Information Systems Department

Environmental Management/Solid Waste Department

Highway Department

Planning and Zoning Department

Elected Officials

Baldwin County Revenue Commission

Baldwin County Sheriff's Office

Other Agencies
Board of Registrars Office
Emergency 911
South Alabama Regional Planning Commission

BA5 Request from the City of Fairhope to Use County Voting Machines for Its Municipal Special Election to be Held on October 2, 2018 [18-0728](#)

As requested by the City of Fairhope, and to cooperate in the administration of the electoral franchise benefiting the public, authorize said municipality the ability to use the following allotted voting machines, at no cost, for its October 2, 2018, Special Municipal Election with the understanding that said municipality shall be responsible for all costs associated to the provision of services of the County Voting Machine Custodian and any and all other election related costs:

Three (3) Voting Machines; and
One (1) Automark 87000 (HAVA) Compliant Voting Machine

BA6 Request from Fort Mims Restoration Association - Reenactment and Living History Event at Fort Mims on August 25-26, 2018 [18-0695](#)

Related to the Fort Mims Restoration Association's Fort Mims Reenactment and Living History event on August 25-26, 2018, take the following actions:

- 1) Approve the Maintenance Paint Crew (Highway Department) to mark/paint the parking lot at the Fort Mims State Historic Site just prior to the event; and
- 2) Approve the Parks Crew (Highway Department) to clean up at the Fort Mims State Historic Site just prior to the event; and
- 3) Request Southeast Mosquito Control to provide mosquito spraying for the Fort Mims State Historic Site just prior to the event; and
- 4) Authorize an expenditure of public funds in the amount of \$121.25 to be paid to A & M Portables, Inc. for the use of five (5) handicap portable toilets to be delivered to the event site on Friday, August 24, 2018, and picked up on Monday, August 27, 2018; and
- 5) Approve the use of forty-five (45) large rolling garbage carts from the Solid Waste Department, for use throughout the Fort Mims State Historic Site for the event, at a cost totaling \$55.00 (\$10.00 delivery fee, \$1.00 per cart); and
- 6) Approve the use of one (1) medium size Baldwin Regional Area Transit System

(BRATS) bus on August 25, 2018, for 8 hours and August 26, 2018, for 7 hours, at a cost of \$825.00 (\$55.00 per hour) to transport attendees.

BE BUDGET/PURCHASING

BE1 Competitive Bid #WG18-33 - Provision of Road Signs for the Baldwin County Commission [18-0683](#)

Award Bid #WG18-33 to Vulcan, Inc. d/b/a Vulcan Signs for the Provision of Road Signs as per the Award Listing for each category of headings.

BE2 Competitive Bid #WG18-34 - Provision of Industrial Fittings, Hoses and Accessories for the Baldwin County Commission [18-0684](#)

Award Bid #WG18-34 to the lowest bidder, Bay Side Rubber & Products, Inc. for the Provision of Industrial Fittings, Hoses and Accessories as per the Award Listing.

BE3 Competitive Bid #WG18-36 - Provision of Fiber Optic Network-Maintenance and Locates for the Baldwin County Commission [18-0685](#)

Take the following actions:

1) Approve the specifications for the Provision of Fiber Optic Network-Maintenance and Locates and authorize the Purchasing Director to place a competitive bid; 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.

BE4 Transfer of Vehicles from Various Baldwin County Departments [18-0686](#)

Take the following actions:

1) Approve the transfer of the following County vehicles at no cost:

2003 Ford F-150 PU - VIN #1FTRF17W73NB39099 from the Health Department to the Bay Minette Custodial Department in the amount of \$2,691.00; and

2006 Chevrolet 1500 PU - VIN #1GCEC14X56Z147820 from Building Maintenance to Bay Minette Custodial Department in the amount of \$3,010.00; and

2008 Ford F-150 PU - VIN #1FTRF122X8KC35645 from Bay Minette Custodial Department to Building Maintenance Department; and

2) Authorize the Chairman to execute the Fixed Asset Change Forms.

BM FINANCE AND ACCOUNTING

BM1 Sales & Use Tax Collection Software Addendum

18-0699

Related to the Sales & Use Tax collection software, take the following actions:

1) Approve the Computer Software Support Agreement with Delta Computer Systems, Inc., commencing on the first day of delivery of the software or upon acceptance of the addendum(s) by both parties and shall remain in effect for one year. The terms of this agreement will automatically renew annually; and

2) Authorize the Chairman to sign the Computer Software Support Agreement Addendum with Delta Computer Systems with the new monthly rate in the amount of \$940.00, effective October 1, 2018.

BN HIGHWAY

BN1 Competitive Bid #WG16-37 - Land Management of 424.46 Acres of "Wet Pine Flatwoods Habitat" Within the Baldwin County Mitigation Area, Gulf Shores, Alabama, for the Baldwin County Commission

18-0724

Approve a time extension with Southern Forestry Consultants, Inc., on the Land Management of 424.46 acres of "Wet Pine Flatwoods Habitat" within the Baldwin County Mitigation Area, Gulf Shores, Alabama, project at no additional charge to the County, and authorize the Highway Department to issue the time extension notice. (The contract extension for mechanical work effective until October 31, 2018. The contract extension for other work effective until May 31, 2019.)

BN2 Perdido Volunteer Fire Department - Construction and Paving of Parking Lot

18-0679

Approve the Highway Department to construct the parking lot at the Perdido Volunteer Fire Department for an estimated cost of \$16,500.00 for labor. The Perdido Volunteer Fire Department will purchase the materials and will be invoiced the cost of labor upon completion of the project.

BN3 Rabun Volunteer Fire Department - Slope Correction

18-0681

Approve the Highway Department to add materials and lessen the slope around the fire station at the Rabun Volunteer Fire Department for an estimated cost of \$3,450.00 for labor. The Rabun Volunteer Fire Department will purchase the materials and will be invoiced the cost of labor upon completion of the project.

BN4 Replacement of Damaged Fence at the Area 100 Maintenance Facility
Located in Bay Minette, Alabama

[18-0719](#)

Approve and authorize the Highway Department to replace the damaged fence at the Area 100 Maintenance Facility located in Bay Minette, Alabama at an estimated cost of \$26,000.00.

Funding source will be from Commission Miscellaneous Appropriations Contingency Fund (51990.5290).

BN5 Highway Department - Purchase of a Woods Batwing Rotary Mower

[18-0717](#)

Approve the purchase of a Woods 15.60 Batwing Rotary mower in the amount of \$14,777.00 charging to 53130.5560 (Construction Equipment).

BN6 Transfer of a Portion of County Road 8 East to the City of Gulf Shores

[18-0680](#)

Take the following actions:

- 1) Pursuant to Alabama Code 11-49-80, cease County control, management, supervision regulation, repair, maintenance and improvement of County Road 8 East from State Highway 59 to the End of County Maintenance, approximately 5,255 feet, and remove said road from the County Maintained Road List effective August 7, 2018; and
- 2) Authorize the Chairman to notify the City of Gulf Shores, by letter, of the foregoing action and the City of Gulf Shores' responsibility for said road; and
- 3) Authorize the Chairman to execute a Quitclaim Deed.

BN7 Eastern Shore Metropolitan Planning Organization - Streetlytics Data
Purchase

[18-0703](#)

Approve the Baldwin County Commission providing the Eastern Shore Metropolitan Planning Organization's (MPO) portion of 20% matching funds (\$1,143.71) for the purchase of Streetlytics Data.

BN8 Execution of IRS Form 8283 for a Donated Right-of-Way on George Younce Road - Project No. 0204216 (Tract 4)

[18-0707](#)

Take the following actions:

- 1) Accept 0.106 acres on George Younce Road - Project No. 0204216 (Tract 4) as a right-of-way donated to Baldwin County by Deloyd E. Williamson aka Deloyd Williamson and Patricia Ann Williamson aka Patricia A. Williamson on March 16, 2018 (Instrument No. 1685539 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.

BN9 Execution of IRS Form 8283 for a Donated Right-of-Way on George Younce Road - Project No. 0204216 (Tract 5)

[18-0708](#)

Take the following actions:

- 1) Accept 0.047 acres on George Younce Road - Project No. 0204216 (Tract 5) as a right-of-way donated to Baldwin County by James W. Parker, III on March 15, 2018 (Instrument No. 1685057 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.

BN10 Execution of IRS Form 8283 for a Donated Right-of-Way on George Younce Road - Project No. 0204216 (Tract 6)

[18-0709](#)

Take the following actions:

- 1) Accept 0.031 acres on George Younce Road - Project No. 0204216 (Tract 6) as a right-of-way donated to Baldwin County by Debra J. Parker on March 22, 2018 (Instrument No. 1686705 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.

BN11 Execution of IRS Form 8283 for a Donated Right-of-Way on George Younce Road - Project No. 0204216 (Tract 9)

[18-0710](#)

Take the following actions:

- 1) Accept 0.019 acres on George Younce Road - Project No. 0204216 (Tract 9) as a right-of-way donated to Baldwin County by Cheryl J. Conn on May 2, 2018 (Instrument No. 1694315 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.

BN12 Execution of IRS Form 8283 for a Donated Right-of-Way on George Younce Road - Project No. 0204216 (Tract 10)

[18-0713](#)

Take the following actions:

- 1) Accept 0.063 acres on George Younce Road - Project No. 0204216 (Tract 10) as a right-of-way donated to Baldwin County by Jason Charnock and Nicole Charnock on March 29, 2018 (Instrument No. 1687904 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.

BN13 Execution of IRS Form 8283 for a Donated Right-of-Way on George Younce Road - Project No. 0204216 (Tract 11)

[18-0714](#)

Take the following actions:

- 1) Accept 0.042 acres on George Younce Road - Project No. 0204216 (Tract 11) as a right-of-way donated to Baldwin County by Robert E. Ewing and Kathryn S. Ewing on March 22, 2018 (Instrument No. 1686121 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.

BN14 Execution of IRS Form 8283 for a Donated Right-of-Way on George Younce Road - Project No. 0204216 (Tract 17)

[18-0716](#)

Take the following actions:

- 1) Accept 0.062 acres on George Younce Road - Project No. 0204216 (Tract 17) as a right-of-way donated to Baldwin County by Mary M. Kochis on April 13, 2018 (Instrument No. 1690340 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.

BP PERSONNEL

BP1 BRATS - Transfer of Employee from Part-Time Bus Driver to Full-Time Bus Driver

[18-0702](#)

Approve the transfer of Linda K. Theisen from the part-time BRATS Bus Driver position (PID #PT01) G-EL (\$12.967 per hour) to fill the full-time BRATS Bus Driver position (PID #401), with no change in hourly pay to be effective no sooner than August 20, 2018.

BP2 Highway Department (Bay Minette) - Personnel Changes

[18-0723](#)

Take the following actions:

- 1) Approve the promotion of Robert Gentry from the Operator Technician II position (PID #252) grade H-09 (\$17.79 per hour/\$37,003.20 annually) to fill the open Operator Technician III position (PID #1007) at a grade I-08 (\$19.045 per hour/\$39,613.60 annually); and
- 2) Approve the voluntary demotion of James Bradley from the Traffic Control Technician III position (PID #842) grade H-04 (\$15.722 per hour/\$32,701.76 annually) in the Highway Maintenance Department (53130) to fill the Operator Technician I position (PID #4046) at a grade G-05 (\$14.67 per hour/\$30,513.60 annually) in the Bay Minette Highway Department (53112).

These recommendations will be effective no sooner than August 20, 2018.

BP3 Highway Department (Construction Section) - Creation of Construction Manager Position

[18-0721](#)

Take the following actions:

- 1) Approve the creation of one (1) Construction Manager position (PID #TBD) at a salary grade EC-09 (\$64,045.00 - \$101,449.00 annually); and
- 2) Approve the updated position description of Construction Manager; and
- 3) Approve the updated organizational chart for the Highway Department.

BQ PLANNING AND ZONING

BQ1 Baldwin County Planning and Zoning Commission - Board Appointment

[18-0704](#)

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

- 1) Appoint Mr. Brandon Bias as a regular member for a four (4) year pro-rata reduced term, to fill the place-seat and unexpired term formerly held by Ms. Cassie Boatwright, said term to commence on August 7, 2018, and expire on November 1, 2021.

C PRESENTATIONS

CA GENERAL

CA1 Employee of the Quarter for 1st Quarter 2018

[18-0677](#)

Deidra Hanak, Assistant Personnel Director, appeared before the Commission and said it is an honor to present the Employee of the Quarter. Today's recipient was unable to make it to the last meeting, but he is here today. Ms. Hanak said the goal of the Baldwin County Commission's Employee of the Quarter Program is to publicly recognize outstanding employees and acknowledge their accomplishments and contributions to the Baldwin County Commission as a whole. It also offers an opportunity for all employees within the County to recognize their peers for their exceptional job performance as well as offering the citizens an opportunity to recognize county employees who exhibit exceptional customer service. Each quarter, employees are selected based on factors such as: improving services, improving work processes to become more efficient and performing at a level above and beyond normal job requirements.

Kim Creech, Clerk/Treasurer, and Jerry Green, Audit Compliant Officer, appeared before the Commission. Ms. Creech said Mr. Green is passionate about his work and helpful to the taxpayers; he goes above and beyond. Mr. Green was recognized by one of his peers who submitted the request. Ms. Creech said Mr. Green helps supervisors and employees. Mr. Green does a lot of research on the law. Ms. Creech said she is honored to have Mr. Green recognized today. Ms. Creech presented the Employee of the Quarter Award to Mr. Green.

Motion by Vice Chairman Charles F. Gruber to recognize Jerry Green, Audit Compliant Officer, as the Employee of the Quarter and make the certificate a part of the record. (No audible second was made.)

The motion passed by the following vote:

Aye: 4 - Frank Burt Jr., Chris Elliott, Tucker Dorsey, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

CA2 Introduction of Newly Promoted Officers of the Baldwin County Sheriff's Office

[18-0696](#)

Sheriff Huey Hoss Mack appeared before the Commission and said it is a great part of his job when men and women have the opportunity to rise up through the ranks of the Baldwin County Sheriff's Office. Recently, due to some retirements, promotional boards were conducted over the past several months. The promotions took effect over the past month, but he wants to introduce some of the gentlemen who have been promoted and recognize them before the Commission.

Sheriff Mack introduced Sergeant Michael Walker who was promoted from Corporal to Sergeant. Sheriff Mack said Sergeant Walker has been with the Sheriff's Office for a number of years; he is a Marine Corps. Veteran. Sergeant Walker is currently assigned to the Criminal Investigation Division (CID) of the Baldwin County Sheriff's Office. In that capacity, Sergeant Walker is supervising one of the CID units and he has been very active in investigating a lot of the property crimes and theft related type crimes that have taken place in the north end of the County. Sheriff Mack said Sergeant Walker has been very successful in that assignment and he will continue to be a success as a supervisor of a unit within the Sheriff's Office.

Sheriff Mack introduced Corporal Jason Kolbe and said he has been with the Sheriff's Office for a number of years. Corporal Kolbe is currently assigned to the Special Operations (SO) Unit and he is one of the canine handlers. That role has a lot of different responsibilities. Sheriff Mack said within that role, officers basically do

everything within the Uniformed Services of the Sheriff's Office when called upon. In addition to the normal duties within the Special Operations Unit, there may be traffic details, drug interdiction details, canine searches and they help the Patrol Division, Civil Division and anything else when called upon. Sheriff Mack said recently, there was a manpower situation due to a high drug arrest. The Sheriff's Office had to reach out to some of the Special Operations Officers to help fill in. He is very excited about Corporal Kolbe's recent promotion to Corporal. Currently, the Sergeant over the SO Unit, Sergeant Randy Younce, has been out from a shoulder surgery and is still in rehabilitation. Corporal Kolbe has been leading that shift and taking care of it in Sergeant Younce's absence.

Sheriff Mack said the following Officers could not be here today, but they were also promoted: Sergeant Jed Davis, Sergeant Austin Jones and Corporal Bill Bedgood. Sergeant Davis was recently assigned to a Patrol shift and is now leading it. Sergeant Jones is leading one of the four Patrol shifts. Corporal Bedgood serves in the Criminal Investigations Division and currently handles some of the specialized investigations relating to financial crimes investigation and the more technical aspects of things that are going on in the Criminal Investigation Division.

CA3 236th Anniversary of the Purple Heart - August 7, 2018

18-0644

Ron Cink, County Administrator/Budget Director, said August 7th is commemorated throughout the United States as National Purple Heart Day. This is a time for all Americans to pause and remember the brave men and women who were wounded or gave the ultimate sacrifice paid with their lives for our country.

The Baldwin County Commission respects and appreciates the service and sacrifices of the nation's armed forces and veterans.

Mr. Cink introduced Commander Bill Bergman of the Military Order of the Purple Heart and said he will address the Commission.

Commander Bergman appeared before the Commission and said this is a special occasion of the Purple Heart. Many of the other services are usually memorial services. Today is a celebration and a birthday. General George Washington instituted the Purple Heart as a Merit Badge on August 7, 1782. In 1932, it was decided and enacted by Congress that it would be an award to be given for combat wounded of all military personnel who participate in any kind of belligerent force against the United States. Therefore, most everyone in this day and time are recipients because they are combat wounded, both men and women. Commander Bergman said there were a lot of women who came back from the Gulf War who are special people. There are a lot of paraplegic and quadriplegic veterans. It is sad to look at, but they are heroes and he is thankful for that. Another thing the Southwest Alabama Chapter of the Purple Heart participates in is an award that is presented JROTC Units in Baldwin and Mobile Counties. Baldwin County has five JROTC high school units and

Mobile County has 14 JROTC high school units. The Leadership Award is issued in these units. Commander Bergman said the JROTC cadets are very well mannered and he loves and cares for them. He takes his hat off to them for the mannerisms and the way they conduct themselves. The cadets are tomorrow's military people. This is very important to all of them, especially in the Purple Heart. Commander Bergman said he was a little late in getting the word out to Dr. Barry Booth, he is sure he will hear something from Dr. Booth regarding his invitation to today's meeting. Dr. Booth is a strong promoter and supporter of all military functions that go on in Southwest Alabama. The things Dr. Booth did with the Honor Flights are unheard of. Commander Bergman said it is a pleasure to be here. The Military Order of the Purple Heart's participation in the community is in harmony with the community. They are in harmony with the County, cities, and the State. The State made the proclamation some years ago to proclaim the State of Alabama as a Purple Heart State and the counties have done the same. Many of the cities and municipalities including all of Baldwin County have been proclaimed and Mobile County is doing the same thing. Things are moving on with the proclamations at this time. Commander Bergman introduced Commander Van Daughtry, State Commander of the Purple Heart, and said Commander Daughtry drove in from Opelika last night just to attend today's meeting. Commander Daughtry is here to address the Commission.

Commander Daughtry appeared before the Commission and thanked the Commissioners for the invitation, it is a privilege and an honor. The Military Order of the Purple Heart does a lot in South Alabama, especially Commander Bergman. It is sometimes hard to speak in front of people who do not realize the veterans have Purple Hearts, but it is not necessarily because they wanted them. Commander Daughtry said he is proud that he has been allowed to be the Commander for the last three years. The Military Order of the Purple Heart does great work and he appreciates it. The original Purple Heart was a Military Merit in 1782 and changed again in 1932 by Congress and introduced by General Douglas MacArthur. It is an honor to wear the Purple Heart; they have earned it. The men and women suffered and are still suffering. Commander Daughtry encouraged the public to take time out of their day to thank a veteran. It means a lot to a veteran to have someone walk up and say "thank you." It was years and years before a Vietnam veteran heard that. Commander Daughtry said he has heard it more in the last five years, than he has in the last 50 years. There are 22 veterans a day in Alabama who commit suicide; one person is too many. Just by thanking a veteran, it can turn their lives around. Veterans like the words "thank you." Commander Daughtry thanked the Commissioners for having him here and said it is a privilege. He has learned a lot in the past three years, especially from the Military Order of the Purple Heart; it is quite an honor. Commander Daughtry said he is from Auburn and Mr. Cliff McCullom with Gulf Coast News is from Opelika. He knows Mr. McCullom's family. Commander Daughtry said Mr. McCullom told him the only thing he did not like about him is the fact that he is from Auburn, but he is an Alabama fan.

Commander Bergman thanked the Commissioners for this opportunity and said this concludes their time.

Commissioner Gruber said Baldwin County has a lot of veterans and the County is very fortunate to have the Veterans Affairs Office in Foley. A lot of times 1,000 veterans will

come through that office within a month, which is a lot of veterans. People are taking advantage of that office. There are now two full-time technicians who work there; this shows how crowded and busy the office is. Commissioner Gruber thanked the veterans for the sacrifices they made for this country.

Chairman Burt thanked Commander Bergman for coming today on Purple Heart Day. The Baldwin County Military Order of the Purple Heart was the point group in making the State Veterans Cemetery in Spanish Fort possible. It was their undying and never failing efforts to locate a new or expanded Veterans Cemetery in South Alabama where prior to that, veterans were buried in Mississippi or Florida. The Military Order of the Purple Heart's efforts made a difference. Chairman Burt said riding through the Veterans Cemetery makes his heart pound. He encouraged the public to ride through the Veterans Cemetery and see what America is all about and what it has taken to keep the nation free amongst many of the world.

EA FINANCE/ADMINISTRATION DIVISION

EA1 Payment of Bills

18-0649

Motion by Commissioner Tucker Dorsey, seconded by Commissioner Chris Elliott, to pay bills totaling \$11,533,989.20 (eleven million, five hundred thirty-three thousand, nine hundred eighty-nine dollars and twenty cents) with the exception of Vendor 145, which is listed in the Baldwin County Accounts Payable Payments - August 7, 2018, for a revised total of \$11,533,816.98.

Of this amount, \$9,277,256.28 (nine million, two hundred seventy-seven thousand, two hundred fifty-six dollars and twenty-eight 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:	4 -	Frank Burt Jr., Chris Elliott, Tucker Dorsey, and Charles F. Gruber
Nay:	0	
Absent:	0	
Abstain:	0	

Motion by Commissioner Chris Elliott, seconded by Vice Chairman Charles F. Gruber, to pay Vendor 145 in the amount of \$172.22.

Vendor #145: Dorsey, Jasper T. \$172.22

The motion passed by the following vote:

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

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

[18-0650](#)

Ron Cink, County Administrator/Budget Director, informed the Commission that the Baldwin County Commission Interim Payments - August 7, 2018, made by the Clerk/Treasurer totaling \$2,482,315.50 (two million, four hundred eighty-two thousand, three hundred fifteen dollars and fifty cents) are a part of the record.

EB ROAD AND BRIDGE DIVISION

F ELECTED OFFICIAL REQUESTS

G OTHER STAFF RECOMMENDATIONS

GA ADMINISTRATION

GA1 *City of Daphne - Appropriation Agreement for Corte Road Right-of-Way Acquisition (Baldwin County Fiscal Year 2017-2018 County Budget)

[18-0701](#)

Ron Cink, County Administrator/Budget Director, said there is a replacement agenda item before the Commissioners in paper form.

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Chris Elliott, as related to, and as authorized by, the Baldwin County Fiscal Year 2017-2018 Budget (Resolution #2017-129; Resolution #2017-130), execute an Agreement with the City of Daphne, Alabama, to assist the City of Daphne with the Corte Road and Austin Road Improvements, said appropriation in the amount of \$200,000.00.

The term of the Agreement shall commence August 7, 2018, and expire September 30, 2018, and may be terminated per the parameters as set forth therein, respectively.

The motion failed by the following vote:

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

After the motion and prior to the vote, Commissioner Elliott said his question is: Was the

commitment to do the initial grading work removed from the revised agreement?

Chairman Burt said Joey Nunnally, County Engineer, can best answer some of the questions that are about to rise up. He apologizes for not attending the Road and Bridge Division meeting, he is sure this was discussed during that meeting.

Mr. Nunnally appeared before the Commission and said no, that was not removed from the revised agreement. The original agreement the County had for Corte Road with the City of Daphne was four parts. The first part was to help the City of Daphne to acquire the right-of-way. The second part was to transfer ownership of the right-of-way. The third part was the need for an intergovernmental service agreement and the fourth part was regarding the grading aspect of this agreement which is still intact. Mr. Nunnally said the only thing not approved at the original agreement date was the \$200,000.00 the City of Daphne requested. It was approved at budget last year which this action is addressing today. This action will transfer the money to the City of Daphne for the right-of-way acquisition. Staff is proposing the Commission transfer the money back to the Highway Department instead of the City of Daphne to offset the cost the Highway Department has already spent in the right-of-way acquisition phase.

Commissioner Gruber said after talking to the Mayor of Daphne, the City of Daphne wanted to take \$200,000.00 and put it towards the payment of the right-of-way.

Mr. Nunnally said the Mayor said the City was approximately \$200,000.00 short for this project and he requested that money from the County. The Commission approved this money to be set aside at budget and no action has been taken to give the money over. When the Highway Department billed the City for the right-of-way acquisition, as per the original agreement, the Mayor had not yet given that money back to the County. Staff is asking the Commission to offset that cost.

Commissioner Gruber said the total cost for the right-of-way was approximately \$380,000.00. The City of Daphne still owes the County and it is willing to cut a check for the other money. Commissioner Gruber said then, the County will be made whole for the acquisition of the right-of-way.

Mr. Nunnally said that is what staff was told. He and Commissioner Elliott had a meeting with the Mayor who asked that a revised invoice be sent to the City and a check would be cut for the remaining.

Chairman Burt said he asked Mr. Nunnally where the County was with this and how much was the debt in acquiring the right-of-way. He assumes the City now has all it needs for that right-of-way, to which Mr. Nunnally replied that is correct. Chairman Burt said the total cost of acquiring the right-of-way was approximately \$400,000.00 and approved through an agreement. He asked Mr. Nunnally had the City of Daphne paid the money and Mr. Nunnally said the Mayor had told him that the City did not have the money. Chairman Burt said he later asked Kim Creech, Clerk/Treasurer, if a bill or notice was sent to the City of Daphne. Ms. Creech told him that she had not yet sent a notice. Chairman Burt said Mr. Nunnally told him that he had not sent a notice, but he had talked about it. Chairman Burt said he cannot be supportive of this change because it was signed, sealed and delivered and a commitment was made that it would be done. Chairman Burt said one of the City of Daphne's Council members made a statement at a recent meeting that the City

believes it can pay the \$400,000.00. That may be an error, he does not know.

Mr. Nunnally said just to clarify, there have been a couple of numbers thrown around. Commissioner Gruber threw out the \$386,000.00, this was the actual number for the right-of-way cost. The additional costs were for various fees and it ran the bill up to a little over \$400,000.00, which is the number Chairman Burt is referring to. The City of Daphne was on the ticket to pay for all of that and the County was donating the labor and time in order to help this project along, at the City of Daphne's request. At budget, the Commission approved a \$200,000.00 allotment to help this project along at the City of Daphne's request. The City of Daphne was requesting that money be sent to them. What staff is proposing today is that the Commission not send that money to them, but keep the money in-house to offset the right-of-way cost the County has already expended.

Chairman Burt said the City of Daphne made a commitment and there are signed documents that stated the City would pay those costs, whatever they were and the County would give the \$200,000.00 to cover other items. It was not for the acquisition of the right-of-way, it was to be used towards the completion of the road.

Commissioner Elliott said the City of Daphne owes the County and the County owes the City of Daphne. The City will subtract what the County owes it and pay the difference to the County. This is what the agreement states.

Chairman Burt said the City said it would pay on the other and they have not.

Commissioner Elliott said the County will subtract what it owes and the City will pay the difference. His only concern with this is in Item #5 in the Contract. It indicates that this is the entire agreement and that it supersedes any other prior negotiations, representations or agreements. There are other agreements regarding this project out there. He wants to make sure the Commission is living up to what it agreed to.

David Conner, County Attorney, said his recollection was that the Commission approved the agenda item that had three or four things it was willing to do. One of those items had to do with the provision of staff time to engage and assist in the acquisition of right-of-way. All cost of the right-of-way acquisition were to be paid by the City of Daphne. The Commission also agreed to provide grading and other equipment, but not materials, as it relates to the road bed installation, and some other services the County was going to provide. All of the costs would be at the City of Daphne. Then, there was \$200,000.00 that would be allocated toward the project in general. Mr. Conner said there is another intergovernmental service agreement out there that addresses the grading and the work that is done on the project.

Mr. Nunnally said that is correct. Staff's intent today is for this agreement not to supersede that agreement.

Mr. Conner said that was one of the reasons for the change in the agenda item. He saw that language in Section 5 just as Commissioner Elliott did. The new agreement now reads "This Agreement represents the entire and integrated agreement between County and City and supersedes all prior negotiations, representations or agreements, either written or oral, related to the County's contribution of \$200,000.00 for this project." He put that language in there to

address the fact that there are other agreements out there and this just addresses the \$200,000.00. It is his understanding the intent is that this money will now be allocated towards the payment of the acquisition cost owed back to the County to reduce the outstanding amount owed by the City of Daphne to the County.

Mr. Nunnally said that is correct. This does not supersede the original agreement with the City of Daphne to help grade the road, it is transferring the \$200,000.00 to offset the cost.

Commissioner Dorsey said Chairman Burt has a valid point. There is an agreement with Daphne for a completed road. Now, the City is saying it does not have the budget and this is costing more. The County committed \$200,000.00 to get a completed project. If the County is going to offset this because the City did not budget the correct amount for the right-of-way acquisition that it agreed to, how will the County get the assurance that the road will be finished? That was the County's \$200,000.00 commitment. During the Road and Bridge Division meeting, it was discussed how the City of Daphne is not paying its bills. The County committed to a finished road and the City of Daphne has to follow through with what it said it would do. Their budget problems are not the Commission's problems. Commissioner Dorsey said the City of Daphne agreed to do this. The County needs a finished road and committed \$200,000.00 to that project. If the Commission offsets this instead of sending the City of Daphne the money to use for whatever, if the Commission cuts the cost of the right-of-way acquisition on this, what guarantee will the Commission have, at this point, that there will be a finished road?

Chairman Burt said there is no guarantee.

Mr. Conner said Commissioner Dorsey has a good point. The only thing he was asked to review was about the transition of funds and how the County will affect it. Arguably, if the City of Daphne does not complete the road, it is in breach. The question is, is this \$200,000.00 transfer a gap measure to help the City of Daphne through to complete the project or is it just to pay the acquisition cost and the City of Daphne has no intention of completing the project? Mr. Conner said that is the question he feels Commissioner Dorsey is asking and that is a good question.

Commissioner Dorsey said he is not giving the City of Daphne \$200,000.00 just to have a right-of-way laying over there. The Commission is giving \$200,000.00 so the County can have a road. It is a partnership between the City and the County to build a road that will end up being a major east/west corridor for an area that has a lot of traffic. In the long term, it will relieve traffic along County Road 64 and County Road 104, which is critically important and why the County invested in this project in the first place. Commissioner Dorsey said it was not for development, it was for alleviating traffic capacity problems in that area of the County.

Mr. Nunnally said from what he has been told, the \$200,000.00 does not fully fund this project. The City of Daphne still has to come back to the City Council and ask for more money to complete this project. Until the County has that assurance that this has happened and the action has been taken by the City of Daphne, Mr. Nunnally suggests the Commission table this action today. Staff can come back to the Commission in the future to see how it wants to handle the \$200,000.00 transfer.

Commissioner Dorsey said he does not feel the Commission has to come back to this. He is not in favor of this. The City of Daphne owes the Commission \$386,000.00 for a right-of-way

acquisition that it agreed to pay and he wants the money. It is not negotiable with the Mayor or anyone else. The City owes the County for the right-of-way acquisition; it has already agreed to that. The County's \$200,000.00 is for the construction of the road and the County will hold that money in its checking account until that time.

Chairman Burt said the County has already paid almost \$400,000.00, that money is gone from the County's bank account. It was spent to acquire the right-of-way, which the City of Daphne asked the County to do and he was opposed to. The County would not enter into an agreement with another municipality in the County because the Commission did not feel that municipality had the funds, but the County entered into one with the City of Daphne because the Commission thought the City would abide by its word. Chairman Burt said he cannot be a part of this.

After the vote, Chairman Burt said the City of Daphne needs to pay its bill.

Mr. Nunnally said staff will send the City of Daphne an invoice.

Chairman Burt said there is a Council member who has said the City has the money to pay the bill. Chairman Burt said he is unsure if it is the Mayor holding this up, the Council holding this up, or if it is the bank that will not give the City the money. Whatever it is, the County needs its money. It is not the Commission's money, it is the taxpayers' money. If the Commission took the taxpayers' money and did this for the betterment of Daphne and to help the safety and welfare of the people traveling those roads, then the County needs the City to take care of its business. It is not business with the County Commission, it is business with the taxpayers of Baldwin County.

D PUBLIC HEARINGS

DQ PLANNING AND ZONING

DQ1 Case No. Z-18023 - The Reserve at Daphne Planned Residential Development Site Plan

[18-0705](#)

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

Chairman Burt opened the public hearing at 9:18 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 9:18 a.m.

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Tucker Dorsey, to acknowledge for the record the applicant's request to withdraw Case No. Z-18023, The Reserve at Daphne Planned Residential Development Site Plan.

The motion passed by the following vote:

Aye: 4 - Frank Burt Jr., Chris Elliott, Tucker Dorsey, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

E COMMITTEE REPORTS

GJ ELECTED OFFICIALS

GJ1 Agreement between Baldwin County Commission and Quality Correctional Health Care, Inc., for Inmate Medical Services Program for the Baldwin Corrections Center and Baldwin County Juvenile Detention Center [18-0687](#)

Sheriff Huey Hoss Mack appeared before the Commission and said the item before the Commission today is an extension to an existing contract. He is asking the Commission to approve the extension with Quality Correctional Health Care (QCHC), Inc. that manages the medical services for the Corrections Center and Juvenile Detention Center. Healthcare has been in the forefront of every discussion across the nation for many years and correctional facilities are no different. It is an extreme expense to the Sheriff's Office. Two years ago the Sheriff's Office recognized that, at that time, there was a single contract with a local physician to provide medical services in the Correctional facility. The Sheriff's Office and the County also employed nursing staff. Sheriff Mack said quite honestly, the Sheriff's Office struggled for many years to make sure it provided healthcare to the inmates within the facility, but also minimized any liability associated with that operation. The decision was made a couple of years ago to contract those services out and Quality Correctional Health Care, Inc. which has been in the business for 13 years and is a physician owned company located in Alabama, was able to get the bid on this and provide the services. Sheriff Mack said today there are 600 inmates in Baldwin County Corrections Center. Of those 600 inmates, there are several who are high risk. For instance, there are three pregnant women within the facility. One has an opioid addiction, one has a predisposed problems with her delivery and another one has issues involving her pregnancies. There is an inmate in the Baldwin County Correctional Center who suffered a gunshot wound to the head and has 65 staples in his head right now and is facing neurosurgery. The most high risk inmate today is a 70 year old male who is serving a one-year sentence. This inmate has had strokes, stints and heart attacks. Managing those inmates is not something someone just responds to. Sheriff Mack said the inmates are managed to try and prevent any of those major issues that may come about. Sheriff Mack introduced Ms. Ellen Najdowski, Medical Director with QCHC, and said she will give a brief explanation of what she and her staff have been able to accomplish over the last two years.

Ms. Najdowski appeared before the Commission and read a prepared statement. Ms. Najdowski said this is an honor. She and her staff are residents of Baldwin County, this is their community.

Commissioner Gruber said QCHC is doing a remarkable job in taking on this challenge. It was a challenge for the Sheriff's Office and the Juvenile Detention Center. QCHC is saving the County money at the same time. Like Sheriff Mack stated, this is

something that has to be done. Commissioner Gruber said he appreciates the hard work QCHC is doing and the money it is saving the County.

Sheriff Mack said in conclusion, when people come to jail, they do not bring their health insurance card with them. While they are in the facility, the Sheriff's Office cannot file a health claim. The Association of County Commissions of Alabama (ACCA) has been a proactive partner in proceeding with some legislation he hopes will soon take care of that issue and the Sheriff's Office will be able to do that. Mr. Sonny Brasfield, Executive Director of ACCA, has partnered with the Sheriff's Office to try and make it happen. Recently, an inmate, who is still in the facility, has been to the facility 31 times since 2005. The last time he came to the facility, he developed a heart problem and had to be transferred to a local hospital where he had to have heart surgery. Sheriff Mack said the initial bill for this was \$215,538.00. One of the things QCHC is able to do is work with the medical providers to negotiate such things as Medicare rates and the other different discounts under the medical programs. So far, that single surgery has been negotiated down by 56.3 percent and now the bill is \$94,000.00, that is a difference of \$78,000.00 that has been negotiated down as a savings. This is done with every hospitalization or outside visit. This is another advantage the Sheriff's Office has with QCHC because QCHC knows what to do and the medical classification and coding systems that have to be in place and entered correctly.

Commissioner Dorsey said the Sheriff's Office health care is so good, people are willing to go to jail for it.

Chairman Burt said that is a fact of life.

Sheriff Mack said there is a great irony in this and he agrees with Commissioner Dorsey. Just about everyone of the 15,000 inmates that are booked in and out of the Center every year, if they are there longer than 72 hours they leave healthier.

Chairman Burt said when the County houses Federal inmates, or inmates for other agencies such as municipalities, can those inmates be covered under this same process with the municipality or Federal government reimbursing the County?

Sheriff Mack said the inmates receive the Sheriff's Office's medical care and if it is a Federal inmate, the Federal government is responsible for that medical cost. If it is a State inmate who has been assigned DOC number, which means the inmate has already gone to prison, then the Sheriff's Office can file with the State on the DOC. If it is a municipal inmate, from the City of Bay Minette, there is a clause in that contract on that medical as well. Sheriff Mack said those are the three entities who are responsible for those medical bills. The Sheriff's Office works with them closely. The Federal government is particularly good about moving inmates with chronic illnesses to an onsite hospital. The Sheriff's Office not only gets involved with other entities regarding the reimbursement side, but also regarding shifting and maybe sending the inmates to another facility.

Commissioner Elliott thanked Sheriff Mack for his active leadership on this; it saves county taxpayers hundreds of thousands of dollars a year, if not more. It is very active

management and it is paying dividends.

Chairman Burt said this is happening with the people in the public as well. The Commission is under water with the insurance company it entered into agreement with for the first time. Medical costs are unbelievably expensive. He hopes that one day the President will help make it better.

Motion by Commissioner Chris Elliott, seconded by Commissioner Tucker Dorsey, to approve the Amendment and Renewal of the Agreement for the Provision of Professional Physician and Related Healthcare Services to the Inmates of the Baldwin County Corrections Center and Juveniles at the Baldwin County Juvenile Detention Center with QCHS, Inc., a/k/a Quality Correctional Health Care, (QCHC) for an additional year at the same prices as the original agreement. (Contract extension begins October 1, 2018 at 12:01 A.M., through September 30, 2019 at 11:59 P.M.)

The motion passed by the following vote:

Aye: 4 - Frank Burt Jr., Chris Elliott, Tucker Dorsey, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

H COMMISSIONER REQUESTS

HA COMMISSION DISTRICT 1

HB COMMISSION DISTRICT 2

HC COMMISSION DISTRICT 3

HD COMMISSION DISTRICT 4

I ADDENDA

IA1 Change in Blue Cross Blue Shield Benefit

[18-0747](#)

Motion by Commissioner Chris Elliott, seconded by Commissioner Tucker Dorsey, to approve the change in benefits for Blue Cross Blue Shield health insurance to exclude CVS Pharmacy from the Rx Network to be effective no sooner than September 1, 2018, and approve the Chairman to execute the Amendment to Enrollment Agreement.

The motion passed by the following vote:

Aye: 4 - Frank Burt Jr., Chris Elliott, Tucker Dorsey, and Charles F. Gruber
Nay: 0

Absent: 0

Abstain: 0

After the motion and prior to the vote, Chairman Burt asked if staff is making certain the insurance cardholders will get this information in time?

Ron Cink, County Administrator/Budget Director, said the Commission's action today will start the notification process to the participants in the plan.

Chairman Burt said September 1st is a short time away. He wants to make sure the County's employees are notified in time.

Mr. Cink said the employees will be notified.

J ADMINISTRATIVE REPORT

K COUNTY ATTORNEY'S REPORT

David Conner, County Attorney, said there are a couple of executive session items to discuss with the Commission. There will be no action required to be taken coming out of the executive session. If the Commissioners would like to conclude the business of the regular meeting, they can enter into an executive session at the end of the meeting and adjourn from there.

L ANNOUNCEMENTS

M PUBLIC COMMENTS

*Public Comments - Dr. Lou Campomenosi

[18-0857](#)

Dr. Lou Campomenosi with the Common Sense Campaign, appeared before the Commission and thanked the Commissioners about the money issue with the City of Daphne. Dr. Campomenosi said he just handed one page of the Board of Education's checkbook online to the Commissioners. Dr. Campomenosi commented on how public cares about taxpayers' money, how the Board of Education spends its money and the money the District Attorney will receive.

Chairman Burt said he is unsure if the District Attorney was aware of the money he will receive from the sales tax. Chairman Burt asked Dr. Campomenosi to explain to the public what he is referring to, he is not only speaking to the Commission, but to the public as well.

Dr. Campomenosi said his comments are about the 2012 Penny Tax and the 2015 Board of Education debacle. The Commission needs to make sure if there is money to be wasted, then the Board of Education needs to transfer that money back to the Commission. The public has been and will continue to be interested in that. He encourages the Commission to look carefully at the Board of Education. Have the Board of Education come back and not roll over when it comes to construction loans.

Chairman Burt said Dr. Campomenosi handed the Commission one page of a portion of the bills paid by the Board of Education.

N PRESS QUESTIONS

O COMMISSIONER COMMENTS

Commissioner Dorsey said he looked at the April 18, 2017, Baldwin County Commission meeting minutes where Mayor Dane Haygood and Mr. Richard Johnson came to a meeting regarding the Corte Road and Austin Road improvements. Mayor Haygood stated during that meeting that from a financial perspective, the City would absorb any overruns. Mayor Haygood also stated that he was confident the City would work through the right-of-way acquisition without any significant increases to the estimated projected project costs. Commissioner Dorsey said the Commission will hold Mayor Haygood to that.

P ADJOURNMENT

David Conner, County Attorney, recommended the Commission enter into an executive session to discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees, to discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action, and to discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property. Mr. Conner said he makes the oral declaration that the discussion is appropriate for an executive session. It is anticipated the executive session will last approximately 32 minutes and 45 seconds.

After the motion and prior to the vote, Mr. Conner said there is one item that he has a conflict of interest. Mr. Brad Hicks, with Stone Crosby, is here to represent the Commission on that item.

Motion by Commissioner Chris Elliott, seconded by Vice Chairman Charles F. Gruber, to adjourn the August 7, 2018, Baldwin County Commission meeting into an executive session at 9:48 a.m. for approximately 32 minutes and 45 seconds, to discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees, to discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action, and to discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property.

The motion passed by the following vote:

Aye: 4 - Frank Burt Jr., Chris Elliott, Tucker Dorsey, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

Chairman Burt said the Commission will enter into an executive session at 9:48 a.m.

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