

Baldwin County Commission

Baldwin County Commission
Regular
Meeting Minutes
Tuesday, October 2, 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 8:33 a.m. and introduced Reverend Melissa Aaron, Robertsedale Church of the Nazarene, who appeared before the Commission and led the Commission in prayer. After the Pledge of Allegiance led by Judge Timothy Russell, Baldwin County Judge of Probate, the Commission transacted the following business to-wit:

ADOPTION OF MINUTES

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Chris Elliott, to adopt the minutes of the August 27, 2018, Special (Budget) meeting and the September 18, 2018, Regular meeting.

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

B CONSENT

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

The motion passed by the following vote:

Present: 4 - Chairman Frank Burt Jr., Commissioner Chris Elliott, Commissioner Tucker Dorsey, and Vice Chairman Charles F. Gruber

Absent: 0

BA ADMINISTRATION

BA1 City of Foley - Annexation Notification

[18-0955](#)

Authorize the placement of the City of Foley's Annexation Ordinances No.18-2010-ORD, No.18-2011-ORD, No.18-2014-ORD, No.18-2016-ORD, No.18-2019-ORD, and No.18-2020-ORD annexing properties into the corporate limits of the City of Foley, Alabama, into the minutes of the October 2, 2018, Baldwin County Commission regular meeting with the proper notifications to the following departments/organizations:

Baldwin County Departments
Baldwin County Commission
Building Inspection Department
Communication/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 Registrar's Office
Emergency 911
South Alabama Regional Planning Commission

BA2 Optimist Club of Perdido Bay's 28th Annual Lillian Christmas Parade

[18-1022](#)

Approve the requested route for the Optimist Club of Perdido Bay's 28th Annual Lillian Christmas Parade on Saturday, December 8, 2018, beginning at 1:00 p.m. on Widell Street, proceeding northeast on U.S. Highway 98, north on 6th Street,

west on West Barclay, then south on Santa Piedro Street, back to the point of beginning. The parade is 1 ¼ miles long and will take approximately 1 hour and 15 minutes to complete.

The Baldwin County Sheriff's Office will provide security and the Department of Public Safety, Highway Patrol Division, will handle the road closure for this event.

BE BUDGET/PURCHASING

BE1 Competitive Bid #WG16-44A - Provision of Guardrail Installation and Repair on County Right-of-Ways for the Baldwin County Commission [18-1034](#)

Extend the Contract for Competitive Bid #WG16-44A - Provision of Guardrail Installation and Repair on County Right-of-Ways with C & H Construction Services, LLC, for an additional twelve (12) months at the same prices and terms stated in the bid specifications as awarded on November 1, 2016. The Contract extension will expire on November 1, 2019.

BE2 Competitive Bid #WG18-42 - Provision of Fire Protection Services (Extinguishers) for the Baldwin County Commission [18-1036](#)

Take the following actions:

- 1) Approve the specifications for the provision of Fire Protection Services (Extinguishers) and authorize the Purchasing Director to place a competitive bid; and
- 2) Further, authorize the Chairman/Purchasing Division Commission for the Baldwin County Commissioner to approve any necessary addendums for clarifications if required after the bid is advertised.

BE3 Competitive Bid #WG18-43 - Provision for Rental of Solar Powered Portable Message Signs for the Baldwin County Commission [18-1038](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the provision for rental of solar powered portable message signs; 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 Competitive Bid #WG18-44 - On-call Fiber Optic Installation and Repair Services for the Baldwin County Commission [18-1039](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for On-Call Fiber Optic Installation and Repair Services; 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.

BE5 Rental of One (1) Copy Machine for the Baldwin County Highway Department Located in Silverhill, Alabama [18-1040](#)

Approve and authorize the Chairman to execute the rental agreement with Sharp Electronics Corporation for one (1) new copy/scanner machine off the State of Alabama bid for thirty-six (36) months effective the date of execution as follows:

Location: Highway Parks Building, 22300 West Boulevard, Silverhill, Alabama

Model: MX-3070V

Price: \$113.98/month

Excess Charge/copy: \$0.0079 BW & \$0.0450 Color

BE6 Professional Services Agreement to Upgrade the AS400 Server System for the Baldwin County Commission [18-1041](#)

Approve and authorize the Chairman to execute the Professional Services Agreement with VSS, LLC, to upgrade the AS400 Server System as follows:

Hourly Rate: \$180.00; Estimated Hours: 35; Travel Cost: \$90.00/hour capped at 8 hours per trip with total estimated cost of \$6,300.00 plus travel if needed.

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

BH1 First Amendment to Optical Fiber IRU Agreement - Southern Light, LLC [18-1048](#)

Rescind the action taken by the Baldwin County Commission, during its regularly

scheduled meeting held on August 1, 2017, more specifically, staff recommendation regarding agenda item BD1, which approved as follows:

“Authorize the Chairman to execute an Amendment to the Optical Fiber IRU Agreement between the Baldwin County Commission and Southern Light, LLC to extend the Agreement from a term of ten (10) years to a twenty (20) year term.”

BH2 Microsoft Volume Licensing Agreement

[18-1050](#)

Approve and authorize the Chairman to sign all documents related to the Baldwin County Commission’s Microsoft Volume Licensing Agreement. This agreement is effective October 1, 2018, and will expire on September 30, 2021.

BJ ELECTED OFFICIALS

BJ1 Acceptance of Fiscal Year 2018-2019 Alabama Department of Youth Services Agency Grant Agreement on Behalf of the Baldwin County Juvenile Court

[18-1046](#)

Take the following actions:

- 1) Accept and authorize the execution of the Alabama Department of Youth Services (ADYS) Grant Agreement for the Fiscal Year 2018 - 2019 (beginning October 1, 2018, and ending September 30, 2019) in the amount of \$302,820.00 on behalf of the Baldwin County Juvenile Court, Youth Advocacy Program; and
- 2) Authorize the execution of a Service Agreement with Youth Advocate Programs, Inc. for the Fiscal Year 2018 - 2019 (beginning October 1, 2018, and ending September 30, 2019) in an amount not to exceed \$302,820.00 on behalf of the Baldwin County Juvenile Court.

BJ2 Fiscal Year 2018-2019 Agreement for Community Traffic Safety Program Grant Participation

[18-1065](#)

Approve the Fiscal Year 2018-2019 Agreement for Community Traffic Safety Program (CTSP) Grant Participation for the Baldwin County Sheriff’s Office to participate in the Southwest Region’s Community Traffic Safety Program for reimbursement of overtime traffic safety enforcement and other time as approved by Alabama Department of Economic and Community Affairs (ADECA) and/or Southwest Alabama Regional Highway Safety Office (SWARHSO). The term of this contract will be from October 1, 2018, through September 15, 2019.

BJ3 Request to Construct Metal Building and Site Preparation for the Metal Building in Bay Minette

18-1063

Take the following actions:

- 1) Authorize the Baldwin County Sheriff's Office to construct a climate controlled metal building to store documents and other materials requiring secure storage and restricted access, to be located at 210 Railroad Street, Bay Minette, Alabama, behind the current building on the property; and
- 2) Authorize the Highway Department to do site preparation work for the building, with expenses being paid for from the Baldwin County Sheriff's Office Law Enforcement Fund.

BJ4 Transfer of Vehicles from the Baldwin County Sheriff's Office to the Baldwin County Commission to be Sold on GovDeals.com

18-1064

Authorize the transfer of three (3) vehicles from the Baldwin County Sheriff's Office to the Baldwin County Commission as surplus assets and authorize the Chairman to execute the Fixed Asset Change Forms.

Per Baldwin County Policy # 8.8, authorize the sale of the vehicles on GovDeal.com and the revenue from the sale of these vehicles to be deposited into the Baldwin County Commission's General Fund.

2007 Ford Crown Victoria - Vin # 2FAHP71W67X130232
2006 Ford Crown Victoria - Vin # 2FAHP71W96X138131
2006 Dodge Ram 1500 - Vin # 1D7HU182765583981

BJ5 Renewal of IncomeWorks Software License Agreement

18-1055

Approve the renewal of the IncomeWorks License Agreement between Assessment Advisors, LLC and Baldwin County Commission, to provide the Baldwin County Revenue Commission with an income based local-market-specific commercial real estate evaluation model designed specifically to bring consistency and equity to the assessment of commercial, industrial, lodging, multi-family, office, and retail properties.

This Agreement shall be for a term of one (1) year, commencing on January 1, 2019, and terminating on December 31, 2019, per Renewal Amendment. The renewal fee of \$29,000.00 was invoiced to Licensee September 5, 2018.

Payment received in October 2018 will ensure release prior to the December 31, 2018, expiration date of the current term.

BK EMERGENCY MANAGEMENT AGENCY (EMA)

BK1 Fiscal Year 2018 Emergency Management Performance Grant (EMPG)
Federal Share Agreement [18-1062](#)

Take the following actions:

1) Accept and execute the Cooperative Agreement with the Alabama Emergency Management Agency providing \$65,451.00 in Emergency Management Performance Grant (EMPG) funds (Federal funds passed through the State) to the Baldwin County Emergency Management Agency. The period of performance for this grant is October 1, 2017, to September 30, 2018; and

2) Authorize the Chairman to sign any related documents.

BK2 Fiscal Year 2018 Emergency Management Performance Grant (EMPG)
Cooperative Agreement State Share of EMPG Funds [18-1061](#)

Take the following actions:

1) Accept the Cooperative Agreement with the Alabama Emergency Management Agency providing \$12,000.00 in state funds to the Baldwin County Emergency Management Agency as part of the Fiscal Year 2018 Emergency Management Performance Grant; and

2) Authorize the execution of any documents related to the award.

This agreement commenced on October 1, 2017, and shall expire on September 30, 2018. These funds are matched 50/50 by local funds and are intended to support county emergency management programs.

BK3 Termination of Memorandum of Understanding/Equipment Transfer from
the Department of Public Health for Eight (8) Bus Conversion Kits [18-1060](#)

Take the following actions:

1) Authorize the termination of the Memorandum of Understanding and

Equipment Transfer Agreement between the Alabama Public Health Care Authority and Baldwin County Emergency Management Agency, for eight (8) bus conversion kits at the Baldwin County Emergency Management Agency to assist with the management of mass casualty events resulting in evacuations of non-ambulatory patients, which was approved by the Baldwin County Commission on September 1, 2009; and

2) Authorize the Chairman to execute a notice of termination letter to the Alabama Department of Public Health Center for Emergency Preparedness requesting disposal instructions for the eight (8) Bus Conversion Kits.

BL ENVIRONMENTAL MANAGEMENT

BL1 Interagency Cooperative Agreement with the Alabama Department of Environmental Management (ADEM) for Right-of-Way Litter and Scrap Tire Cleanup

18-1044

Take the following action:

Authorize the Chairman to execute the Contractual Agreement between Baldwin County Commission and the Alabama Department of Environmental Management (ADEM), commencing on the date of execution and terminating September 30, 2021, for the collection of discarded scrap tires and any associated regulated solid waste from right-of-way locations within Baldwin County, more fully described in Attachment "A" Scope of Services, including:

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

BL2 Mullek Farms - Seed Cotton Base Acre Allocation, Yield Update and Election

[18-1042](#)

Authorize the Chairman to execute the Seed Cotton Acre Allocation, Yield Update, and Election form CCC-865 of the U.S. Department of Agriculture.

BL3 Updated Recycle Bin Locations throughout Baldwin County

[18-1043](#)

Approve the updated locations for recycle bins located throughout Baldwin County.

BM FINANCE AND ACCOUNTING

BM1 Association of County Commissions of Alabama (ACCA) Workers' Compensation Self Insurers' Fund - Continuance of Coverage

[18-1052](#)

Related to the Association of County Commissions of Alabama Workers' Compensation Self-Insurance Fund (ACCA WCSIF), take the following actions:

- 1) Authorize payment to the Association of County Commissions of Alabama Workers' Compensation Self Insurers' Fund in the amount of \$726,159.86 from applicable and various Baldwin County Commission departments, related to the continued provision of workers' compensation coverage to the Baldwin County Commission and for the period of October 1, 2018, to October 1, 2019; and
- 2) Authorize the Chairman to execute any related correspondence and/or instruments; and
- 3) Authorize the Clerk/Treasurer to make an interim payment before October 31, 2018, to the Association of County Commissions of Alabama Workers' Compensation Self Insurers' Fund (ACCA WCSIF) in the amount of \$726,159.86.

BM2 Association of County Commissions of Alabama (ACCA) Workers' Compensation Longevity Bonus

[18-1056](#)

Related to the Association of County Commissions of Alabama Workers' Compensation Self-Insurance Fund (ACCA WCSIF) member Longevity Bonus, take the following actions:

- 1) Adopt and authorize the Chairman to execute Resolution #2019-009, the 2021

Workers' Compensation Longevity Bonus, the Baldwin County Commission must elect to continue its participation in the Fund through at least September 30, 2021; and

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

BM3 Stericycle Class Action Settlement Agreement

[18-1058](#)

Related to Stericycle Class Action Settlement Agreement, authorize the Baldwin County Clerk/Treasurer to deposit checks from Stericycle Class Action settlement.

BP PERSONNEL

BP1 Highway Department (Construction Engineering) - Employment of One (1) Construction Manager

[18-1035](#)

Approve the employment of Tyler Mitchell to fill the open Construction Manager position (PID #5410) at a grade EC-09 (\$82,500.00 annually) to be effective no sooner than October 8, 2018.

BP2 Solid Waste Department - Personnel Changes

[18-1032](#)

Take the following actions:

1) Approve the employment of Dylan Bevel to fill the Solid Waste Technician position (PID #855) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) to be effective no sooner than October 8, 2018; and

2) Approve the employment of Christopher McBay to fill the Solid Waste Technician position (PID #5248) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) to be effective no sooner than October 8, 2018; and

3) Approve the employment of Zachary Grooms to fill the Solid Waste Technician position (PID #3020) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) to be effective no sooner than October 8, 2018; and

4) Approve the promotion of Victor Durden from the Solid Waste Technician position (PID #5242) grade G-01 (\$13.287 per hour/\$27,636.96 annually) to fill the open Solid Waste Driver I position (PID #5421) at a grade H-EL (\$14.246 per

hour/\$29,631.68 annually) to be effective no sooner than October 15, 2018; and

5) Approve the promotion of Vincent Reim from the Solid Waste Technician position (PID #5250) grade G-EL (\$12.967 per hour/\$26,971.36 annually) to fill the open Solid Waste Driver I position (PID #5420) at a grade H-EL (\$14.246 per hour/\$29,631.68 annually) to be effective no sooner than October 15, 2018; and

6) Abolish the Solid Waste Technician positions (#5242 and #5420).

BQ PLANNING AND ZONING

BQ1 Community Rating System (CRS) Program Recertification

[18-1053](#)

Authorize the County Commission Chairman to execute the annual CRS Re-certification Form.

C PRESENTATIONS

CA GENERAL

CA1 Recognition of Senator Tripp Pittman for his Sponsorship of Act. 2018-539 Simplified Sellers Use Tax Remittance

[18-1045](#)

Senator Tripp Pittman and Kim Creech, Clerk/Treasurer, appeared before the Commission. Ms. Creech said this is a dedication to Senator Pittman and read the plaque presented to Senator Pittman.

Senator Pittman asked if the Commissioners would allow him to say a few words. He knows everyone is eager to get out of here and the Commissioners have done a great job in being efficient with their meetings. Senator Pittman said in Alabama there has always been a requirement to voluntarily pay a use tax. With the change in purchasing habits, the Simplified Sellers Use Tax was passed where the companies are now responsible for remitting those taxes. Legislation has gone a step further to define what the nexus is so that the stores and electronic vendors will be on a level playing field. Senator Pittman said last year approximately \$50 million was collected from the Simplified Sellers Use Tax; this year it has gone up to \$80 million. This is split half-in-half with the State. In one-half, 75 percent will go in General Fund and 25 percent will go to education. The other half will be split between the cities and counties. Previously, it was 25 percent of the total to each. There was a little debate this year where the cities felt they were out-negotiated the first time. There was a compromise and the split was 60/40 between the counties and cities. This is a mechanism where revenues that are due and payable are collected; citizens have to pay for their government, it is the most important thing that they do. Senator Pittman said he was honored to work with Mr. Sonny Brasfield, with the Association of County Commissions of Alabama (ACCA), who is an outstanding individual. Senator Pittman said there is always a political process. He is glad the ACCA awarded this recognition to him, and he appreciates the Commissioners presenting it. He would also like to thank each of

the Commissioners for their service to the County. It is a team effort and everyone works together. Sometimes, there are different views on things, but he has been honored to work with them. Senator Pittman thanked Chairman Burt, as a citizen, for the decades of service he has tended to the County. Commissioner Gruber will continue in that capacity. Senator Pittman said he knows Commissioner Gruber loves this County with all his heart, and he appreciates Commissioner Gruber's service. Senator Pittman said to Commissioner Dorsey that as a businessman he knows there is nothing like being a businessman, and he appreciates what Commissioner Dorsey does. Senator Pittman wished Commissioner Elliott good luck in November and good luck in Montgomery; it is a tremendous challenge. Senator Pittman said God bless the Commissioners, God speed, God bless America, God bless Alabama and God bless Baldwin County.

Ms. Creech said since the start of the program, Baldwin County has received \$2,343,192.00. The Town of Elberta received \$17,000.00 of this amount. This is money the smaller cities would have never received. Ms. Creech said the Town of Perdido Beach is small, but it has a lot of revenue generated businesses and it received \$6,000.00. The Baldwin County Commission received \$1.2 million of the money.

CA2 Proclamation - Domestic Violence Awareness Month - October 2018

[18-0907](#)

Ms. Rhyon Ervin, Executive Director of The Lighthouse, appeared before the Commission to accept the proclamation as presented by Commissioner Elliott, on behalf of the Commission.

Commissioner Elliott asked Ron Cink, County Administrator/Budget Director, to read the proclamation for the record.

Ms. Erving read a prepared statement and presented the Commissioners with lapel pins to wear during Domestic Violence Awareness month in recognition of the victims, survivors and thrivers.

Motion by Commissioner Chris Elliott, seconded by Commissioner Tucker Dorsey, to adopt a Proclamation which proclaims October 2018, as Domestic Violence Awareness Month in Baldwin County, Alabama.

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

CA3 Introduction of Baldwin County Sheriff's Corrections Center Accreditation Award

[18-0941](#)

Sheriff Huey Hoss Mack appeared before the Commission and said it is a great day

and a privilege to be here today. Sheriff Mack said he could not legitimately stand here today and talk about a great, monumental accomplishment achieved in the Baldwin County Sheriff's Office and Corrections Center without having the employees present to be recognized. Sheriff Mack said on August 30, 2018, the Baldwin County Sheriff's Office Corrections Center received a Level II Accreditation by the National Institute of Jail Operations (NIJO). Sheriff Mack read a prepared statement on the requirements for a NIJO Accreditation and said the Corrections Center received a Level II accreditation. This is only the second accreditation that has been awarded in the State of Alabama. There is only one other Sheriff's facility in the State that has received this award to date.

Sheriff Mack recognized the employees present who actively participated in this accreditation process with NIJO that started five years ago. Sheriff Mack also recognized John Henry, head of the Sheriff's Office's Maintenance Department, and said Mr. Henry was unable to attend today's meeting. Mr. Henry and his staff were integral in making sure the physical plant was compliant with the Federal and State laws and regulations. Sheriff Mack thanked Chief Deputy Charlie Jones, who was integral in this process, and Major Anthony Lowery who is also present today. Sheriff Mack thanked the Commissioners for their part in the cooperation with the Sheriff's Office that began years ago. The Baldwin County Commission and the Association of County Commissions of Alabama (ACCA) are one of few entities that work together to promote the Jail Training Program. Sheriff Mack said the Jail Training Program was one of the programs recognized in the national accreditation because the Sheriff's Office offered training above and beyond what was required for this accreditation at the local level. That comes from the spirit of cooperation between the Sheriff's Offices and County Commissions in the State of Alabama. Sheriff Mack asked the Commissioners to join him in congratulating the entire Command Staff of the Baldwin County Sheriff's Office Corrections Center for receiving this national accreditation.

Commissioner Dorsey said the Commissioners are proud of the work Sheriff Mack and his entire team does on every level. There is a lot of work that goes into what the Sheriff's Office does every day. Commissioner Dorsey said he has a different perspective of what the Sheriff's Office does daily; he toured the jail and never wants to be there again. It is such a critical component to what the Sheriff's Office does for the community and society. Commissioner Dorsey said he is thankful for the work the Sheriff's Office puts in, not only to do what it does every day, but to increase its training and be better at what is done in Baldwin County every day. He is proud of the Sheriff's Office's work and is proud to call the employees his friends.

Commissioner Elliott said running a tight ship is one thing, but their pursuit of excellence is to be commended. That is what is demonstrated here, it is not just doing what is right or going above and beyond, it is excellence. Commissioner Elliott said he is impressed and continues to be impressed with the leadership in the Sheriff's Office. Baldwin County is the example in the State, there is no question about it. Around the State, people are envious of the organization Sheriff Mack has built and of the relationship the Sheriff's Office has with the Commission and the Board of Education. That is not a small feat. Commissioner Elliott said the Commissioners are genuinely proud of the Sheriff's Office and its leadership.

Commissioner Gruber said the Sheriff's Office has come a long way with the Corrections Center. He can remember years back when the Sheriff's Office was not like it is today. There is a fantastic staff and they are people who care about people and what they are doing with the people. Those who are incarcerated are treated well. They are fed, housed and taken care of medically. Commissioner Gruber said Sheriff Mack made a big change to what is going on there. Staff is doing a great job and they make Baldwin County shine. It is a good place to be.

Chairman Burt said he cannot thank Sheriff Mack enough. When he came on to the Commission, the Sheriff's Office was a little white building with an unfinished addition. Former Sheriff Jimmy Johnson did a good job. Sheriff Mack came along and picked up the mantle from him and never looked back. Sheriff Mack always looks forward in training his staff and employs dedicated and eager people to make the Baldwin County Sheriff's Office the best in the nation. Chairman Burt said many other departments have followed that same route, but none are more visible than the Sheriff's Office and its employees. When they take the job, they put their heart and soul in it and their families are supportive. The Sheriff's Office staff has done an outstanding job and are all to be commended and have been commended by the ACCA. Chairman Burt said it is a good day for the viewing public who paid their tax dollars for Baldwin County to become what it has become and let them know how those tax dollars have been spent. The Sheriff's Office is one of the best in the nation and the second in Alabama to ever receive this accreditation. Chairman Burt thanked the Sheriff's Office and said he picked a good time to retire from the Commission because Mr. Henry and Chief Deputy Jones have been with the Sheriff's Office for a long time and are both retiring at the end of the year. It is good to have good employees.

CA4 Proclamation - Archives Month - October 2018

[18-1028](#)

Felisha Anderson, Director of Archives, appeared before the Commission to accept the proclamation as presented by Commissioner Dorsey, on behalf of the Commission.

Commissioner Dorsey thanked Ms. Anderson for all she has done with the Archives Department. Ms. Anderson and her staff have brought the Archives Department so far, and he is thankful for them. He is proud to proclaim October as Archives Month.

Commissioner Dorsey asked Ron Cink, County Administrator/Budget Director, to read the proclamation.

Motion by Commissioner Tucker Dorsey, seconded by Commissioner Chris Elliott, to adopt a proclamation which sets and proclaims October 2018, as Archives Month in Baldwin County, Alabama, and encourages the public to visit the archives facility in Bay Minette and other archives and museum throughout the area to discover their collections.

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, before the vote, Ms. Anderson thanked the Commissioners for the opportunity they have given her to serve the citizens of the County. American Archives Month is a nationally recognized month. It is an opportunity for archivists to showcase its fascinating history. Most oftentimes, the profession is unrecognized because it is very lowkey, but the work is very important. Ms. Anderson encouraged the community to stop by the Archives Department in Bay Minette and meet the staff who works hard each day in telling Baldwin County's story. She encouraged the public to visit other archival institutions and museums throughout the County and discover their collections. If the public has any items of historical significance, Ms. Anderson asked that they properly take care of them so that they can be used for future generations. Ms. Anderson thanked Jesus and said everything she does is through him who gives her strength.

Commissioner Dorsey said Ms. Anderson is awesome, and the Archives Department's service is critical to Baldwin County. There is an old saying that if you do not know where you came from, you will not know where you are going. Commissioner Dorsey said for the many people who move here from other places, there is so much offered in Baldwin County historically that Baldwin County has been a part of since before the County was founded. Baldwin County became a county before Alabama was a State. Commissioner Dorsey thanked Ms. Anderson and her staff for what they do and said he is grateful for her work and her friendship.

Commissioner Elliott said this is another example of where Baldwin County is leading. The County is an example to the rest of the State. The Archives Department has been recognized by State Archivists for its service and its department. Commissioner Elliott said Baldwin County does it better than anyone else in the State. It makes him incredibly proud to be from Baldwin County and to represent Baldwin County. Commissioner Elliott said he appreciates Ms. Anderson and her service to the Commission and her ministry to the Commissioners. Ms. Anderson always seems to send a note to him at just the right time, and he appreciates that on a personal level.

Commissioner Gruber said Ms. Anderson and her staff took on and tackled a lot of things and have worked hard on the 200th Anniversary for the State of Alabama. Ms. Anderson is still looking for archives and wants people to be involved in the State's history. It is very important to be recognized as an Archivist. It says a lot about Ms. Anderson and her staff.

Chairman Burt said Mr. Tolbert Brantley hounded him to have an Archives Department to protect the documents that were housed in the basement of the courthouse. Mr. Brantley was constantly worried about people walking away with records. Chairman Burt said Mr. Brantley never gave him peace of mind about this. Each time he saw Mr. Brantley he was hounded about the archives. Ms. Anderson came to the Archives Department as an employee, but quickly showed her dedication and efforts in whatever it took and her love for the County and its history. Ms. Anderson blossomed and took over as Director. It has been a good ride since then, and he knows it will be for the future. Chairman Burt thanked Ms. Anderson and the taxpayers.

CA5 Employee Service Award Pins Presentation

[18-1033](#)

Andrea Roberson, Personnel Director, and Deidra Hanak, Assistant Personnel Director, appeared before the Commission and presented the service pins to the employees.

Commissioner Elliott said the Commissioners appreciate the County employees. They are the ones who interface with the public each day, and they are what makes this County great. The Commissioners are appreciative of the customer service attitude they exemplify every day. Commissioner Elliott said that is what makes Baldwin County employees different from every other employee in the world. The employees genuinely care about their customers, the citizens. One day, they could be receiving their 35 year service pin.

Commissioner Dorsey said the County is celebrating 1,340 years of employment. Baldwin County does it better than any other county in Alabama. This is because of the employees' experience, their commitment to customer service and problem solving. As his term of office winds down, he cannot help but think about how much has been achieved over the last several years. He is incredibly proud of the work the employees have done to make things happen for the 215,000 people in Baldwin County who do not have a choice whether or not to give the County their money. The Commission has managed the money wisely and achieved great things. Commissioner Dorsey said the County is in great shape today and that is only because of the employees' work. The Commissioners can give direction, but without the employees' implementation, that stuff does not get done. Commissioner Dorsey said the employees are absolutely outstanding in every single way, and he cannot be prouder of their work and service. As a representative of the 215,000 people in the County, he thanks the employees for their work they have done for the people.

Commissioner Gruber said he and Wanda Gautney, Purchasing Director, go back many years. They both have over 30 years of employment with the County and have seen a lot. Commissioner Gruber said if it were not for the employees, the County would not be where it is today. The County has great employees who look out for each other and the Commission, and they do a good job. Yes, there will be some grumbling, and everyone is entitled to that. Overall, the employees are the very best, bar none, in the State of Alabama. Commissioner Gruber said he has seen what happens in other counties, and Baldwin County has it going on. There is so much stuff the employees have made Baldwin County first in. It is a team effort, and the employees are willing to do that. Commissioner Gruber said he appreciates that, and he thanks them.

Chairman Burt said he cannot say anything beyond what has been said other than, it is remarkable to him that County employees always look for better ways to do their jobs. He can see employees who started out as custodians and are now in higher positions in the County. It is because of incentives and their desire to do a good job, and represent the people well. It has been a pleasure to watch those flowers blossom and become what they are today. The employees do a tremendous job, and he hopes it is because of the support of the people of the County and the efforts that are made together, whether they are citizens/taxpayers or an employee. It is all about serving the people and public. Chairman Burt said he wishes the people in Montgomery and Washington, DC, would do a little of what Baldwin County does because everyone strives hard to serve the people who pay the employees' salaries and give the Commissioners the opportunity.

D PUBLIC HEARINGS

E COMMITTEE REPORTS

EA FINANCE/ADMINISTRATION DIVISION

EA1 Payment of Bills

[18-1010](#)

Motion by Commissioner Tucker Dorsey, seconded by Commissioner Chris Elliott, to pay bills totaling \$9,991,036.67 (nine million, nine hundred ninety-one thousand, thirty-six dollars and sixty-seven cents) with the exception of Vendor 96, which is listed in the Baldwin County Accounts Payable Payments - October 2, 2018, for a revised total of \$9,986,725.66.

Of this amount, \$8,442,407.73 (eight million, four hundred forty-two thousand, four hundred seven dollars and seventy-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: 4 - Frank Burt Jr., Chris Elliott, Tucker Dorsey, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

Motion by Commissioner Tucker Dorsey, seconded by Vice Chairman Charles F. Gruber, to pay Vendor 96 in the amount of \$4,311.01.

Vendor #102: Elliott, Thomas Christopher

The motion passed by the following vote:

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

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

[18-1011](#)

Ron Cink, County Administrator/Budget Director, informed the Commission that the Baldwin County Commission Interim Payments - October 2, 2018, made by the Clerk/Treasurer totaling \$1,660,472.59 (one million, six hundred sixty thousand, four hundred seventy-two dollars and fifty-nine cents) are a part of the record.

EB ROAD AND BRIDGE DIVISION

F ELECTED OFFICIAL REQUESTS

G OTHER STAFF RECOMMENDATIONS

GN HIGHWAY

GN1 Baldwin County Sewer Service - Utility Permit #18192-S - Sewer Installation on Pine Drive and Bluewater Drive in Elberta

[18-1051](#)

At this time, Commissioner Dorsey left the meeting and the Chambers and did not participate in any discussion regarding this agenda item.

Joey Nunnally, County Engineer, appeared before the Commission and said there is a long history with this area and the unmaintained road.

David Conner, County Attorney, said Mr. Brad Hicks, with Stone Crosby, is here as Conflicts Counsel. Mr. Hicks has requested the Commission to enter into an executive session before this item is discussed in order to address some concerns he has. Mr. Conner said there are two other executive session items to discuss. It is anticipated the executive session will last approximately 25 minutes for all three items. If the Commissioners would like to enter into an executive session now, they can and then reconvene the meeting and resume discussion on this item when it is over.

Chairman Burt said he feels that will be more appropriate. The Commission will come back and vote after the executive session.

At this time, Commissioner Dorsey returned to the meeting and the Chambers.

Executive Session

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 topics he plans to discuss are appropriate for an executive session.

Mr. Brad Hicks, with Stone Crosby, appeared before the Commission and said he makes the declaration the topics planned to be discussed are appropriate for an executive session.

Mr. Conner said it is anticipated the executive session will last approximately 25 minutes at which time the Commissioners will reconvene the meeting and proceed with their agenda.

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Chris Elliott, to enter into an executive session at 9:45 a.m. for approximately 25 minutes, 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 and reconvene from that executive session.

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 9:45 a.m. for approximately 25 minutes.

The meeting reconvened at 10:15 a.m.

GN1 Baldwin County Sewer Service - Utility Permit #18192-S - Sewer Installation on Pine Drive and Bluewater Drive in Elberta

[18-1051](#)

David Conner, County Attorney, said his firm Blackburn and Conner, has a conflict of interest on two items and Mr. Brad Hicks with Stone Crosby, is here as Conflicts Counsel, to handle those items along with Joey Nunnally, County Engineer. At this time, Mr. Conner left the Chambers and the meeting.

Chairman Burt said Commissioner Dorsey has left the Chambers and the meeting and will not participate in any discussion regarding this item.

Mr. Nunnally appeared before the Commission and said staff received an application from the Baldwin County Sewer Service to install a 2" water main down Pine Drive and Bluewater Drive, located in the south end of the Town of Elberta. The roads are totally within the town limits of the Town of Elberta, and it is a non county-maintained right-of-way. Mr. Nunnally said the Town of Elberta annexed the property in 2005 but has not accepted the roads for maintenance, at this time. Since the right-of-way was deeded in Baldwin County's name from years past, the permit came to the County. The recommendation before the Commission is to either accept or deny the permit for the Baldwin County Sewer Service to install the 2" water main down these two roads.

Motion by Commissioner Chris Elliott, seconded by Vice Chairman Charles F. Gruber, to authorize the Chairman to execute Utility Permit #18192-S for Baldwin County Sewer Service to install approximately 2,630' of 2" PVC/HDPE SFM pipe on the east side of Pine Drive and the north side of Bluewater Drive.

The motion failed by the following vote:

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

After the motion, before the vote, Commissioner Elliott said in accordance with what Mr. Nunnally is saying, this easement and right-of-way is within the town limits of the Town of Elberta. He does not believe the Commission has the authority to issue a license permit on this matter, and he will be voting "no" on this issue.

Chairman Burt said that is the reason for this motion. The Town of Elberta would have the authority to issue this. Chairman Burt asked if Mr. Hicks has a draft response to the Baldwin County Sewer Service with a copy to the Town of Elberta?

Mr. Hicks appeared before the Commission and said if the motion fails, he will draft a letter on behalf of the Commission to the Town of Elberta explaining that under Section 11-49-80 of the Code of Alabama, the Town is required to have responsibility for this road, and the Commission does not have the authority to grant what has been requested of the Commission today.

Chairman Burt asked if the motion fails then what?

Mr. Hicks said if the motion fails, he will draft a letter on behalf of the Commission to the Town of Elberta.

Chairman Burt asked if there is a copy of this letter, to which Mr. Hicks replied he has not drafted it yet. Chairman Burt said the motion would need to include authorization for the Chairman to sign the letter. When will Mr. Hicks have the letter prepared?

Mr. Hicks said he will have the letter prepared by the end of the week or as soon as he can. The motion has been made and seconded and will be called for a vote. If the Commission votes "no" on the motion, then he will inform the Town of Elberta. He will be happy to write the letter for the Chairman to sign or for his signature.

Commissioner Gruber asked if the Commission can just deny the permit and send it to the Town of Elberta to make things easier?

Commissioner Elliott said the standard practice would be to deny the permit and have counsel communicate with the Town of Elberta. He is unsure if the Chairman has to execute anything on this.

Chairman Burt asked staff to repeat the motion and said the Commission has the opportunity to

either approve the request or disapprove it.

After the vote, Mr. Hicks said the Chairman called for the "nays" and everyone indicated "nay" so the motion has failed. He will communicate this to the Town of Elberta.

Chairman Burt asked if the Chairman will sign the correspondence, to which Mr. Hicks replied he is unsure if the Chairman needs to sign it.

Mr. Hicks said the vote is on the record so the action of the Commission is clear. He will communicate what has already happened to the Town and will send the Commission a copy of what he sends.

Chairman Burt said it is customary for staff to send a letter of approval or denial with the Chairman signing the letter.

Ron Cink, County Administrator/Budget Director, said in the outbound correspondence from today's meeting, staff will notify the parties that the agenda item failed. This is normally customary.

Chairman Burt said normally the Chairman signs it, to which Mr. Cink replied in that instance "yes."

Mr. Nunnally said for clarification, the letter Mr. Cink is talking about will go to the Baldwin County Sewer Service. They are the applicants for the permit. The Town of Elberta can be copied, that will take care of everyone.

Chairman Burt said he believes he previously stated that. The motion failed, and staff will inform the Baldwin County Sewer Service and copy the Town of Elberta.

At this time, Commissioner Dorsey returned to the Chambers and the meeting.

Baldwin County Intracoastal Waterway (ICW) Boat Launch Project

Mr. Brad Hicks, with Stone Crosby, appeared before the Commission and said he received an executed Purchase and Sale Agreement offering to sell approximately 40 acres on the Intracoastal Waterway to the Baldwin County Commission for a purchase price of \$7.5 million. The property will be used as a boat launch. Mr. Hicks said the terms of the Purchase and Sale Agreement have been reviewed, if the Commission is in favor of this, there should be a motion to authorize the Chairman to execute the Purchase and Sale Agreement, a second, discussion and then a vote. He will be happy to answer any questions the Commission has.

Motion by Commissioner Tucker Dorsey, seconded by Commissioner Chris Elliott, to authorize the Chairman to execute the Purchase and Sale Agreement for approximately 40 acres on the intercostal waterway for a purchase price of \$7.5 million and submit the earnest money required from the Gulf of Mexico Energy Security Act (GOMESA) funding.

The motion passed by the following vote:

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

After the motion, before the vote, Commissioner Elliott said this is a process the Commission has worked on for some time to fill a very dire need in the south end of the County for access to the water for the residents who live inland. This is a great piece of land that will serve the County long into the future. The goal is to use GOMESA funding that is currently housed with the State, specifically under control of the Governor's Office. The State has approximately \$25 million from last fiscal year to spend in Coastal Alabama for activities such as water access. Commissioner Elliott said this project has the support of the Department of Conservation and Natural Resources and State Lands and the support of local people as well as the support of representatives in the Cities of Gulf Shores, Orange Beach and Foley. He is proud to see it move forward. The next step will be to make sure the funding is secured from the Governor's Office. Commissioner Elliott thanked Mr. Hicks and Joey Nunnally, County Engineer, for their work on this and said this is wrapped up in a bow for the Governor's Office to approve and he encourages Governor Kay Ivey to do so at her earliest possible convenience.

Commissioner Dorsey said he appreciates Commissioner Gruber and Commissioner Elliott working on the politics with the support the County has received from the municipalities as well as the work that has been going on at the Governor's level. He is encouraged by that activity to get this funded. This is a real project and will have a great impact for people to gain access to the waterways. The location and the layout are perfect and for the visitors, it has better access to the water. With the design criteria, this will reduce the traffic impact on the island which can be challenging at times. Commissioner Dorsey said this should help the boat industry and Baldwin County. It is a big, major infrastructure project to give people access to the waterway. This is a win-win-win for Baldwin County, and he is proud to be a part of this project.

Commissioner Gruber said the money set aside for GOMESA funding can only be spent in Mobile and Baldwin Counties. It is a win-win for everyone and he hopes the Governor's Office will approve it for Baldwin County to get this project on the way.

Chairman Burt said there has been considerable conversations from Commissioners with the Governor's Office, State Lands and the municipalities of the Cities of Foley, Orange Beach and Gulf Shores. Is there anything in writing stating their support?

Commissioner Gruber said he spoke with the City of Foley and was informed that the City passed a resolution a while back supporting the purchase of the property. The City is willing to send another letter to the Governor's Office stating the importance of this boat launch. Commissioner Gruber said he will contact Mr. Mike Thompson, City Administrator, to see if the City of Foley will send that letter to the Governor's Office.

Chairman Burt asked if there is a letter on file?

Commissioner Elliott said the first step is to have the purchase agreement. It is his understanding that the Councils are willing and able to pass a resolution supporting this and send to the

Governor's Office as soon as the Chairman executes the purchase agreement.

Chairman Burt said there is nothing in writing. What is the price?

Commissioner Gruber said the price is \$7.5 million.

Mr. Hicks said the agreement is a 22 page purchase agreement with the terms expressed within it. Other than that, he is unsure of what other writing staff would have.

Chairman Burt said those were questions he needed answers to.

After the vote, Mr. Conner returned to the Chambers and the meeting.

H COMMISSIONER REQUESTS

HA COMMISSION DISTRICT 1

HB COMMISSION DISTRICT 2

HC COMMISSION DISTRICT 3

HD COMMISSION DISTRICT 4

I ADDENDA

J ADMINISTRATIVE REPORT

K COUNTY ATTORNEY'S REPORT

L ANNOUNCEMENTS

M PUBLIC COMMENTS

N PRESS QUESTIONS

O COMMISSIONER COMMENTS

Commissioner Gruber said today over 100 employees received service pins with 1,340 combined years of service. That is a lot of years for people to serve this County. He commends them for a job well done in providing services for the citizens of the County.

Commissioner Dorsey said he certainly appreciates the service of the employees, and the work that is provided. Baldwin County does things better than everyone else and always tries to move faster than the speed of government. Commissioner Dorsey thanked everyone for their work.

Commissioner Elliott said he wanted to thank the Commission for approving the purchase agreement for the property in south Baldwin County. This will be a game changer for traffic issues in the Cities of Orange Beach, Gulf Shores and Foley. This will continue to make sure there is access to the water which has always been a priority of this Commission. Commissioner Elliott

said as an identified funding source, other than County funds, in order to do it, it has been a long process to get here, identifying the property and going through the due diligence. The purchase agreement for this property is less than what the buyer paid for it which is a good deal for taxpayers. Commissioner Elliott said this is a good project all around, and it just has to get across the finish line for the Governor's Office. For the new Commissioners coming in, the County will need their continued support and pressure to make sure this project comes to fruition. Commissioner Elliott said the Commission has presented this with a bow on it and it is ready to go, but it will be for the new Commissioners to see it across the finish line. There are several thousand people who will be displeased if it is not.

P ADJOURNMENT

Motion by Commissioner Chris Elliott, seconded by Commissioner Tucker Dorsey, to adjourn the October 2, 2018, Baldwin County Commission meeting at 10:33 a.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	

Chairman Burt said the meeting is adjourned at 10:33 a.m.