

Baldwin County Commission

Baldwin County Commission
Regular
Meeting Minutes
Tuesday, October 16, 2018 8:30
AM



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

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

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 8:30 a.m. and introduced Joey Nunnally, County Engineer, who appeared before the Commission and led the Commission in prayer. After the Pledge of Allegiance led by Jessie Peacock, Interim Emergency Management Agency Director, 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 October 2, 2018, Regular Meeting; October 9, 2018, Emergency Special Meeting; and October 11, 2018, Emergency Special 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

Ron Cink, County Administrator/Budget Director, noted a replacement agenda item for Item BD1 - Submission of Revised Fiscal Year 2019 Section 5307 Urbanized Area Public Transportation, is before the Commissioners in paper form.

Motion by Commissioner Chris Elliott, seconded by Commissioner Tucker Dorsey, to adopt the consent agenda including the replacement for Item BD1.

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 City of Robertsdale - Annexation Notification

[19-0039](#)

Authorize the placement of the City of Robertsdale's Annexation Ordinance No. 005-18 and Ordinance No. 008-18 annexing properties into the city limits of the municipality of the City of Robertsdale, Alabama, into the minutes of the October 16, 2018, Baldwin County Commission regular meeting with 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 Cindy Haber Center, Inc. Human Rights Committee - Board Appointment

[19-0054](#)

Related to the Cindy Haber Center, Inc. Human Rights Committee, take the following action:

- 1) Appoint Chandra Middleton as a member of the Cindy Haber Center, Inc. Human Rights Committee, said term to commence on October 16, 2018, and to continue through the duration of Ms. Middleton's employment with the Baldwin County Commission, Baldwin Regional Area Transit System (BRATS) Department.

BA3 Baldwin County Commission District No. 4 Planning (Zoning) District Board of Adjustment (Greater South Baldwin County Area) - Board Appointments

19-0082

As relates to the Baldwin County Commission District No. 4 Planning (Zoning) District Board of Adjustment, take the following actions:

- 1) Reappoint Mr. Samuel Sterling Mitchell, III as a regular member (Planning District No. 20 Designee) for a three (3) year term, said term continuing from June 20, 2018, and expiring on June 20, 2021; and
- 2) Accept the resignation of Ms. Janet M. Lipscomb as a regular member (Planning District No. 21 Designee) and thank her for her prior civic service as a member of the board; and
- 3) Appoint Mr. James Koeppen as a regular member (Planning District No. 21 Designee) to the place seat formerly held by Ms. Janet M. Lipscomb for a pro-rata reduced three (3) year term, said term commencing on October 16, 2018, and expiring on February 17, 2021; and
- 4) Reappoint Mr. Stuart Paul Arnold as a regular member (Planning District 24 Designee) for a three (3) year term, said term continuing from June 20, 2018, and expiring on June 20, 2021; and
- 5) Reappoint Mr. Theron I.V. Mashburn as an alternate member (Planning District 24 Designee) for a three (3) year term to coincide with the term of Mr. Stuart Paul Arnold, said term continuing from June 20, 2018, and expiring on June 20, 2021.

BA4 Resolution #2019-011 - Appropriation for the 14th Annual Day of Thanks Public Breakfast on November 20, 2018

19-0083

Take the following actions:

1) Pursuant to the authority as set forth by Section 45-2-161 of the Code of Alabama 1975, adopt Resolution #2019-011 of the Baldwin County Commission which appropriates and expends \$2,500.00, from the "Commission Discretionary Fund" and in Baldwin County Fiscal Year 2018-2019, to Baldwin County United to be used exclusively by Baldwin County United to pay for costs associated to the 2018 Day of Thanks Public Breakfast at 8:30 a.m. on November 20, 2018, at the Baldwin County Commission Central Annex in Robertsedale, Alabama, which public free-of-charge breakfast shall join community leaders (government, commercial, private and economic) and citizens together, promote cultural endeavors of the general public and provide a public forum to strengthen the civic virtues of good citizenship and patriotism which, collectively, in the judgment of this honorable county governing body, are worthy, in the best interest of the county, and will promote the economic well-being of the citizens of the county; and

2) Execute an Agreement between the Baldwin County Commission and Baldwin County United, to affect the aforementioned total appropriation to Baldwin County United. This Agreement shall be in effect for a period of three (3) months, or in a shorter time as may be determined by the Baldwin County Commission, commencing October 16, 2018, and expiring January 16, 2019, and can be amended, during the aforementioned period only by written amendment executed by the parties.

BA5 Intergovernmental Service Agreement with Municipalities for the Use of County Voting Machines and the Services of the County Voting Machine Custodian and Employees for Municipal Elections

[19-0053](#)

Take the following actions:

1) Adopt Resolution #2019-010 of the Baldwin County Commission, as authorized by Code of Alabama 1975, Section 11-102-1, providing for a determination by the Baldwin County Commission to enter into an Intergovernmental Service Agreement with municipalities in Baldwin County, Alabama, to allow the municipalities to use the County's voting machines and the services of the County Voting Machine Custodian for municipal elections; and

2) Authorize the Chairman to execute an Intergovernmental Service Agreement with each Baldwin County municipality that wishes to use County-owned voting machines.

BB ANIMAL CONTROL

BB1 Baldwin County Trap-Neuter-Return (TNR) Renewal of Agreements

[19-0085](#)

Take the following action:

1) Approve and authorize the Chairman to execute the Professional Service Agreement Renewals for Trap-Neuter-Return (TNR) Services with Baldwin Animal Clinic, Bay Minette Animal Clinic, Colony Animal Clinic and Robertsedale Animal Clinic. The agreements commence on October 16, 2018, and continue for a period of ninety (90) days (expiring on January 14, 2019) with an automatic renewal for one additional ninety (90) day term (expiring April 14, 2019).

BD BALDWIN REGIONAL AREA TRANSIT SYSTEM (BRATS)

BD1 *Submission of Revised Fiscal Year 2019 Section 5307 Urbanized Area Public Transportation Grant Budget

[19-0046](#)

Take the following actions:

1) Adopt Resolution No. 2019-017 authorizing the Baldwin County Commission to commit \$173,758.09 as local non-federal match for operations and capital expenditures under the Section 5307 Urbanized Area Public Transportation Program during Fiscal Year 2019; and

2) Authorize the Chairman to sign the revised local match commitment documents and any related documents, any related award documents, and any related reporting documents; and

3) Authorize Baldwin Regional Area Transit System (BRATS) staff to submit the Revised Fiscal Year 2019 Section 5307 Budget to ALDOT.

BD2 Submission of Revised Fiscal Year 2019 Section 5311 Rural Public Transportation Grant Budget

[19-0044](#)

Take the following actions:

1) Adopt Resolution No. 2019-018 authorizing the Baldwin County Commission to commit \$727,639.41 as local non-federal match for operations, administration, and capital expenditures under the Section 5311 Non-Urbanized Area Public Transportation Program during Fiscal Year 2019; and

2) Authorize the Chairman to sign the revised local match commitment documents, any related award documents, and any related reporting documents; and

3) Authorize Baldwin Regional Area Transit System (BRATS) staff to submit the Revised Fiscal Year 2019 Section 5311 Budget to ALDOT.

BE BUDGET/PURCHASING

BE1 Competitive Bid #WG18-28A - Provision of Bag Ice for the Baldwin County Commission [19-0056](#)

Award Bid #WG18-28A for the provision of bag ice to Ice Plant, Inc. as follows:

Item: Ice 10 lb. bag

Amount Bid: \$ 0.20 per lb = \$ 2.00 per 10 lb. bag

Manufacturer or Brand: Ice Plant, Inc.

Transportation per hour rate: \$85.00

BE2 Competitive Bid #WG18-37 - Provision of Closed Top Recycling Roll-off Containers for the Baldwin County Commission [19-0057](#)

Award Bid #WG18-37 to the lowest bidder, Bakers Waste Equipment, Inc., as follows for the provision of closed top recycling roll-off containers:

Make/Model: BWE: RDR-30-22 W/3" Rise

Amount Bid: \$8,306.00 ea.

Lots of 10: \$83,060.00

Lots of 20 \$166,120.00

BE3 Competitive Bid #WG18-38 - Provision of Alternate Daily Cover Material for the Baldwin County Commission [19-0058](#)

Award Bid #WG18-38 to the lowest bidder, Space Savers Inc., for the provision of alternate daily cover material as follows:

Product: Quick Cover LT+

Amount Bid: \$12.50 per 33 lb bag

Delivery Time: 15 Business days ARO

BE4 Competitive Bid #WG18-39 - Annual Rental of Portable Toilets for the Baldwin County Commission [19-0059](#)

Take the following actions:

1) Approve the Purchasing Director to re-bid for the Annual Rental of Portable Toilets; and

2) Authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

BE5 Competitive Bid #WG18-40 - Provision of Bituminous Materials for the Baldwin County Commission [19-0060](#)

Award Bid #WG18-40 as per the Award Listings for each category of headings to Mobile Asphalt Co. LLC; and Hosea O. Weaver & Sons, Inc., and Eagle Wholesale Supply, Inc. d/b/a Eagle Utilities & Vault Co., for the provision of bituminous materials.

BE6 Competitive Bid #WG18-41 - Provision of Labor and Equipment for Asphalt Placement for the Baldwin County Commission [19-0061](#)

Award Bid #WG18-41 for the provision of labor and equipment for asphalt placement as per the Award Listing to Ammons & Blackmon Construction, LLC, as the Prime Contractor and Mobile Asphalt Co. LLC, as the Secondary Contractor and authorize the Chairman to execute the contracts.

BE7 Competitive Bid #WG19-01 - Annual Generator Preventive Maintenance Services for the Baldwin County Commission [19-0062](#)

Take the following actions:

1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the annual preventive maintenance 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.

BE8 Re-striping of the Parking Lot for the Probate and State Health Department Offices in Bay Minette [19-0084](#)

Authorize the Highway Department to re-stripe the parking lot located south of the State Health Department Office in Bay Minette for a cost of \$3,252.45.

BJ **ELECTED OFFICIALS**

BJ1 Memorandum of Understanding - School Resource Officer (SRO) Program at C F Taylor Alternative School, North Baldwin Center for [19-0077](#)

Technology and South Baldwin Center for Technology School Located in Baldwin County

Approve the Memorandum of Understanding (MOU) between the Baldwin County Commission, Baldwin County Public Schools (Baldwin County Board of Education) and the Baldwin County Sheriff's Office which outlines the purpose, goals, objectives and procedures for the administration of the School Resource Officer Program at C. F. Taylor Alternative School, North Baldwin Center for Technology and South Baldwin Center for Technology Schools located in Baldwin County, Alabama.

This Memorandum of Understanding shall be effective August 15, 2018, and shall remain in effect for a period of two (2) years from the effective date, unless any party elects to terminate the MOU by giving one hundred eighty (180) days written notice of such termination to the other parties. This Memorandum of Understanding shall be reviewed annually and may be amended by the written agreement of the parties.

BL ENVIRONMENTAL MANAGEMENT

BL1 Baldwin County Solid Waste Uncollectible Residential Accounts [19-0070](#)

Approve the uncollectible residential garbage accounts list for write-offs in the amount of \$506.85.

BM FINANCE AND ACCOUNTING

BM1 Request for Waiver of Consumers Use Tax Penalty [19-0052](#)

Approve the Request for Waiver of Penalties for Consumers Use Tax in the amount of \$11,811.00 for Taxpayer ID #25238.

BM2 Online Auction Memo of Understanding with GovDeals, Inc. [19-0079](#)

Related to the Online Auction Memo of Understanding with GovDeals, Inc., take the following actions:

1) Approve the Memo of Understanding with GovDeals, Inc., to sell used county equipment with flexible pricing options (0% Seller-12.5% Buyer). The Memo of Understanding shall commence on the date of full execution and will continue for a

period of twelve (12) months unless otherwise terminated upon sixty (60) days written notice by either party. The GovDeals, Inc. Memo of Understanding shall automatically extend for additional one-year periods, unless either party notifies the other in writing of its intent not to renew at least sixty (60) days prior to the anniversary date; and

2) Approve Kimberly Creech, Clerk/Treasurer, to send a letter to GovDeals, Inc., to enroll the Baldwin County Commission in the Sourcewell rebate program.

BN HIGHWAY

BN1 Baldwin County Regional Juvenile Detention Center - Ditch Grading and Placement of Sod [19-0068](#)

Approve the Highway Department to do ditch grading and place sod at the Baldwin County Regional Juvenile Detention Center for an estimated cost of \$2,886.75 for labor and materials.

The Baldwin County Juvenile Detention Center will be invoiced the actual cost for labor and materials upon completion of the project.

BN2 Bridge Replacement on Hoyle Bryars Road Over Bushy Creek West - Permission to Advertise [19-0067](#)

Take the following actions:

1) Authorize the Purchasing Director to place a competitive bid for Project No. 0218017 - Bridge Replacement on Hoyle Bryars Road Over Bushy Creek West; and

2) Authorize the Chairman to execute any project related documents.

BP PERSONNEL

BP1 Animal Control Department - Personnel Changes [19-0073](#)

Take the following actions:

1) Approve the employment of Holly Keith to fill the open Kennel Technician position (PID #5363) at a grade D-EL (\$9.836 per hour/\$20,458.88 annually); and

- 2) Approve the employment of Amy Wise to fill the open part-time Office Assistant III position (PID #PT45) at a grade E-EL (\$10.781 per hour); and
- 3) Approve the updated organizational chart for Animal Control.

These changes will be effective no sooner than October 22, 2018.

BP2 Building Maintenance Department - Position Changes

[19-0076](#)

Take the following actions:

- 1) Abolish the part-time Office Assistant III position (PID #PT49) grade E (grade E range: \$10.781 - \$17.661 per hour); and
- 2) Create a full-time Administrative Support Specialist II position (PID #TBD) (grade H range: \$14.246 - \$23.386 per hour); and
- 3) Approve the updated organizational chart for Building Maintenance; and
- 4) Approve the position description for Administrative Support Specialist II.

BP3 Probate Office - Employment of Two (2) License Revenue Officer I Positions

[19-0075](#)

Take the following actions:

- 1) Approve the employment of Amanda Bas to fill the open License Revenue Officer I position (PID #5368) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually); and
- 2) Approve the employment of Kim Chatwood to fill the open License Revenue Officer I position (PID #5411) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually).

These actions shall be effective no sooner than October 22, 2018.

BP4 Sales, Use, and License Tax Department - Transfer of Employee Into Audit Compliance Officer Position

[19-0074](#)

Approve the transfer of Jennifer Forsman from the Planning and Grants

Coordinator (#4048) grade EC-07 (\$45,588.56 annually) in the Emergency Management Agency (52300) to fill the open Audit Compliance Officer position (#5424), with no change in salary or pay, in the Sales, Use, and License Tax Department (51750) to be effective no sooner than October 29, 2018.

BP5 Life, Accidental Death and Dismemberment, and Short-term and Long-term Disability Insurance Consideration - Award to Vendor

[19-0071](#)

Take the following actions:

- 1) Award the County sponsored and voluntary Life, Accidental Death and Dismemberment, and Short-term and Long-term Disability Insurance to Companion Life with said coverage to be effective January 1, 2019, for a two-year rate guarantee; and
- 2) Authorize the Chairman to sign all documents related to the County sponsored and voluntary Life, Accidental Death and Dismemberment, Short-term and Long-term Disability Insurance with Companion Life.

BP6 Stop Loss Proposal - Partners Managing General Underwriters/United States Fire Insurance Company

[19-0072](#)

Take the following actions:

- 1) Approve and authorize the Chairman to execute the Medical Stop Loss proposal with United States Fire Insurance Company/Partners Managing General Underwriters for specific and aggregate stop loss insurance to be effective January 1, 2019; and
- 2) Authorize the Clerk/Treasurer to issue a check to Partners MGU in the amount of \$63,762.12 for the first month premiums.

C PRESENTATIONS

CA GENERAL

CA1 Proclamation - Dysautonomia Awareness Month - October 2018

[19-0042](#)

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Chris Elliott, to adopt a Proclamation which sets aside the month of October, 2018 as Dysautonomia 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

Ms. Hannah Whitson appeared before the Commission to accept the proclamation as presented by Commissioner Gruber on behalf of the Commission.

Commissioner Gruber asked Ron Cink, County Administrator/Budget Director, to read the proclamation. Commissioner Gruber thanked Ms. Whitson for accepting the proclamation.

Ms. Whitson read a prepared statement.

Commissioner Gruber thanked Ms. Whitson for attending today's meeting.

Commissioner Dorsey thanked Ms. Whitson for attending today's meeting and said it is unfortunate she has to know all of those medical terms so well. He appreciates her courage in coming today. Commissioner Dorsey said he appreciates Ms. Whitson's mother, Ms. Brandy Robertson's work in bringing Dysautonomia to the Commissioners' attention and sharing the word about this condition. He wishes God's blessings on Ms. Robertson and her family.

Commissioner Elliott said he has the benefit of knowing Ms. Robertson and she is an amazing advocate for Ms. Whitson and for every child out there who is facing this. Ms. Robertson has done amazing work and he thanks her.

Commissioner Gruber thanked Ms. Whitson for coming today and allowing the Commissioners to be able to inform citizens what this is about. He knows it is hard for Ms. Whitson and Ms. Robertson. A lot of times, this goes undetected and no one knows what it is until they are diagnosed with it. There is no cure, only medication to help. Commissioner Gruber said he appreciates Ms. Whitson's heart in informing the public about this.

Chairman Burt said staff helped with the pronunciation of the words by providing a "cheat sheet." He had never heard of Dysautonomia until the Commission passed a resolution for it last year. He is certain there are many in the County who are not aware of this, but this is the opportunity to bring this before the Commissioners and have it broadcast out to the people. Chairman Burt encouraged the public to look this word up if they do not know what it is to have a better understanding of what is going on in people's lives. Chairman Burt encouraged everyone to keep those affected by this in prayer because God knows the way. Some day, a cure can be found for this. Chairman Burt thanked Ms. Whitson and Ms. Robertson for coming to inform the public about this disease.

Commissioner Elliott said Ms. Whitson and Ms. Robertson have some people with them. He asked if they would introduce everyone.

Ms. Robertson appeared before the Commission and said this year, Dysautonomia International posted a Facebook message about this. Ms. Robertson said she was able to request both the RSA Towers in Mobile and Montgomery to be lit up in recognition of Dysautonomia. There will be

a lighting event held this Friday at the RSA Tower in Mobile where photographs will be taken. Ms. Robertson said after speaking with the President of Dysautonomia International, she was told that because of the chatter that has been raised, there is more going on in Alabama this month than in California. As a parent and advocate, she feels proud the entire State has been covered. Baldwin County has done its duty by offering the proclamation and she appreciates it. Ms. Robertson introduced Mr. Ethan Butler and said Mr. Butler is a Postural Orthostatic Tachycardia Syndrome (POTS) patient and he battles with Complex Regional Pain just like Ms. Whitson. When Ms. Whitson was first diagnosed, Mr. Butler's mom walked Ms. Robertson through what to do regarding the Complex Regional Pain because she did not know what to do and local doctors did not understand what it was.

Ms. Nicki Banks appeared before the Commission and said she was recently diagnosed with Dysautonomia; however, she is unsure of what form she has just yet. Ms. Banks thanked the Commissioners for recognizing Dysautonomia.

Ms. Robertson said Dysautonomia International stepped up this year and held a senate meeting for POTS. A representative for Representative Bradley Byrne attended the meeting. Several senators have backed this and are looking for funding. A certain amount of funding is required to be given to Dysautonomia, new treatment plans and research were recently started. Ms. Robertson encouraged everyone to look up what Dysautonomia is and said Dysautonomia International has a wealth of information on its website.

Commissioner Dorsey thanked Ms. Robertson for her efforts and persistence and said she is the only person who could get the RSA Tower lit a certain color.

CA2 North Baldwin Chamber of Commerce Presentation

19-0036

Ms. Ashley Jones Davis, Executive Director for North Baldwin Chamber of Commerce, appeared before the Commission and said the previous presentation illustrates the unity in Baldwin County and how this Commission cares about awareness on many things throughout the County. She was educated today about what Dysautonomia is. Ms. Davis said earlier this month, the Chamber of Commerce hosted a "Business at Breakfast with the Baldwin County Commission." The Chamber took that opportunity to express its gratitude to this Commission for all the Commissioners have done in Baldwin County, specifically, North Baldwin County. The Commission has been a huge partner to the Chamber and the citizens here. The Chamber is very proud of the Live Oak Landing project. The Commissioners worked many years on the project and the Chamber was a strong advocate for it and appreciates the work the Commissioners did. Ms. Davis said unfortunately, Chairman Burt had a conflict and was unable attend the breakfast and the Chamber wants to publicly thank him for his service and dedication for the many things he has done for the community over the years.

Ms. Davis presented a framed photo of Live Oak Landing to Chairman Burt on behalf of the Board of Directors and members of the North Baldwin Chamber of Commerce in appreciation of his service to Baldwin County. Each Commissioner received the same image. Ms. Davis said Ms. Jenni Guerry, with the Baldwin County Emergency Management Agency, spent an afternoon at Live Oak Landing and took the photos. The Chamber appreciates Ms. Guerry.

Chairman Burt said Ms. Davis does a tremendous job, not just in North Baldwin County, but all of Baldwin County. He appreciates the recognition and Ms. Davis taking the time to present it. Chairman Burt thanked Ms. Davis for all she does every day.

Ms. Davis said she is happy to be a part of the team.

Chairman Burt said it is a beautiful picture, to which Commissioner Dorsey replied Ms. Guerry does a great job.

D PUBLIC HEARINGS

DQ PLANNING AND ZONING

DQ1 Amendment to the Baldwin County Zoning Ordinance, Article 2 Local Provisions for Planning District 24, Food Trucks at Ono Island Community Support Facilities (Section 2.3.24.3) [19-0080](#)

Commissioner Dorsey said it is not quite 9:00 a.m. yet, to which Ron Cink, County Administrator/Budget Director, replied the time for public hearings changed to 8:30 a.m. as of October 1st.

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

Chairman Burt opened the public hearing at 8:54 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 8:54 a.m.

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Tucker Dorsey, to adopt Resolution #2019-008 which approves an amendment to Article 2 of the Baldwin County Zoning Ordinance, Local Provisions for Planning District 24, as it pertains to the allowance of food trucks at Ono Island community support facilities (Section 2.3.24.3).

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

DQ2 Case No. Z-18042 - Reliable Properties LLC - Property Rezoning [19-0078](#)

Celena Boykin, Planner, appeared before the Commission and provided the staff report on the subject property.

Chairman Burt opened the public hearing at 8:56 a.m. and asked if there is anyone present who wishes to speak.

Mr. Randy Smith appeared before the Commission and asked the Commission to approve the B-4 rezoning request. There were a couple of objections during the Planning and Zoning Commission meeting. One objection was regarding a big spot light on the property which he took down. There is no one here today to speak against it, so that resolved that issue. The second objection was regarding possibly placing a convenience store on the property. Mr. Smith said the property is not big enough for that. The right-of-way from Highway 59 comes well onto the property. The people who raised this issue are not here either. Mr. Smith said if this request is not approved, he will have to go back through the zoning process and do the conditional stuff. He is asking the Commissioners to vote in favor of staff's recommendation.

Chairman Burt said the B-4 designation is Mr. Smith's request and the Commission has the authority to go beyond the suggested request.

There being no further requests to address the Commission, Chairman Burt closed the public hearing at 8:58 a.m.

Motion by Commissioner Chris Elliott, seconded by Commissioner Tucker Dorsey, to adopt Resolution #2019-006, which approves Case No. Z-18042, Reliable Properties, LLC, as it pertains to the rezoning of 0.64 acres, more or less, as located in Planning (Zoning) District 12, from B-1, Professional Business District, to B-4, Major Commercial District.

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

DQ3 Case No. Z-18043 - Creek Gulf Investments - Property Rezoning

[19-0081](#)

Linda Lee, Planner, appeared before the Commission and provided the staff report on the subject property.

Chairman Burt opened the public hearing at 9:01 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 9:01 a.m.

Motion by Commissioner Chris Elliott, seconded by Commissioner Tucker Dorsey, to adopt Resolution #2019-007, which approves Case No. Z-18043, Creek Gulf

Investments Property, as it pertains to the rezoning of 2.96 acres, more or less, as located in Planning (Zoning) District 21, from B-3, General Business District, to RMH, Residential Manufactured Housing District.

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

EA FINANCE/ADMINISTRATION DIVISION

EA1 Payment of Bills

[19-0029](#)

Motion by Commissioner Tucker Dorsey, seconded by Commissioner Chris Elliott, to pay bills totaling \$2,764,568.35 (two million, seven hundred sixty-four thousand, five hundred sixty-eight dollars and thirty-five cents) with the exception of Vendors 38, 92 and 97, which are listed in the Baldwin County Accounts Payable Payments - October 16, 2018, for a revised total of \$2,763,535.01.

Of this amount, \$210,302.45 (two hundred ten thousand, three hundred two dollars and forty-five cents) is payable to the Baldwin County Board of Education for its portion of the County Sales and Use Tax.

The motion passed by the following vote:

Aye: 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 97 in the amount of \$695.81.

Vendor #97: Elliott, Thomas Christopher - \$695.81

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

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Chris Elliott, to pay Vendors 38 and 92 in total amount of \$337.53.

Vendor #38: Baldwin County Sewer Service, LLC - \$210.00

Vendor #92: Dorsey, Jasper T. - \$127.53

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

[19-0030](#)

Ron Cink, County Administrator/Budget Director, informed the Commission that the Baldwin County Commission Interim Payments - October 16, 2018, made by the Clerk/Treasurer totaling \$4,609,935.85 (four million, six hundred nine thousand, nine hundred thirty-five dollars and eighty-five cents) are a part of the record.

EB ROAD AND BRIDGE DIVISION

F ELECTED OFFICIAL REQUESTS

G OTHER STAFF RECOMMENDATIONS

GA ADMINISTRATION

GA1 Resolution #2019-012 in Support of State Funding for the Baldwin County Intracoastal Waterway (ICW) Boat Launch Project

[19-0055](#)

David Conner, County Attorney, said his firm, Blackburn and Conner, has a conflict of interest regarding this item. Mr. Brad Hicks, with Stone Crosby, has been assisting in this matter.

Motion by Commissioner Chris Elliott, seconded by Vice Chairman Charles F. Gruber, to adopt Resolution #2019-012 in support of State funding assistance for the Baldwin County Intracoastal Waterway (ICW) Boat Launch Project and authorize the Chairman to execute correspondence to the Honorable Kay Ivey, Governor of the State of Alabama, regarding the same.

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 resolution formally requests funding from the Governor's Office for property acquisition and some additional construction. Similar resolutions have been or will be passed by neighboring municipalities. In the near future, he anticipates a letter of support from the Mayor of the City of Mobile as well as from the Mobile County Commission to show good support for this across Coastal Alabama.

H COMMISSIONER REQUESTS

HA COMMISSION DISTRICT 1

HB COMMISSION DISTRICT 2

HC COMMISSION DISTRICT 3

HD COMMISSION DISTRICT 4

I ADDENDA

IA1 Use of Baldwin County Coliseum as a Special Needs Shelter for Hurricane Michael Evacuees

[19-0104](#)

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Chris Elliott, to rescind the actions taken by the Baldwin County Commission, during its October 11, 2018, Emergency Special Meeting which approved the following:

"Authorize the continued operation of the Baldwin County Coliseum as a shelter to assist Hurricane Michael evacuees with special needs.

and

Authorize staff to handle anything else that is needed, for the funding to come from the Commission Emergency Fund and have the Baldwin County Coliseum open from October 9, 2018 through November 13, 2018."

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

IA2 Baldwin EMC "Extra Mile Run/Walk Event"

[19-0107](#)

Motion by Commissioner Tucker Dorsey, seconded by Commissioner Chris Elliott, to approve the request from the Baldwin EMC, Summerdale Office, to close County Road 71 from 9:00 a.m. until 10:00 a.m. on Saturday, October 27, 2018, for its Extra Mile Run/Walk fundraising event.

The event will start at the Summerdale Office's Training Center parking lot on Couch Plant Road, and turn north on County Road 71. The turnaround will be at the intersection of County Road 48 South and County Road 71.

The Baldwin County Sheriff's Office will provide the necessary security for this event.

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

IA3 First Amendment to the Foley Beach Express Agreement to Allow
Signalized Full Access Median Crossover at County Road 8

[19-0106](#)

Commissioner Gruber said the City of Foley approved this last night. Although the Commission has yet to receive approval from the Baldwin County Bridge Company, he would like for the Commissioners to approve the request in order for it to be ready to go once Baldwin County Bridge Company receives the agreement.

Motion by Vice Chairman Charles F. Gruber, seconded by Commissioner Tucker Dorsey, to authorize the Chairman to execute the First Amendment to the Foley Beach Express Agreement to allow a signalized full access median crossover at County Road 8.

See the March 19, 2019, Baldwin County Commission meeting minutes, more specifically Item IA2 which rescinds actions taken during this October 16, 2018, meeting, relevant to this Item IA3.

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

- J ADMINISTRATIVE REPORT**
- K COUNTY ATTORNEY'S REPORT**
- L ANNOUNCEMENTS**
- M PUBLIC COMMENTS**

N PRESS QUESTIONS

O COMMISSIONER COMMENTS

Commissioner Gruber said on October 9, 2018, when the Commissioners received the call to hold an emergency special meeting to open the shelter for evacuees from Florida during Hurricane Michael, this Commission acted quickly to authorize the use. The Commission stepped forward and was willing to do what it took to help the County's neighbors during a catastrophic event. Commissioner Gruber thanked the Commissioners for agreeing to open and fund the shelter. This could have been Baldwin County and the Commissioners have to look at things like this to make sure the County is there for its neighbors. Commissioner Gruber thanked staff for working to get this done. The State of Florida is supposed to refund any cost. He does not feel there was that much cost. Commissioner Gruber asked if the Commissioners would entertain a motion to forego those costs and let it be like it is. The State of Florida will have enough in taking care of all it has to take care of.

Commissioner Elliott said this morning, the Commission passed a resolution transmitting the Commissioners' request to the Governor's Office to approve the use of Gulf of Mexico Energy Security Act (GOMESA) funds to purchase a parcel of property on the Intracoastal Waterway for use as a very large boat ramp facility. This project has a broad base of support, but it is something this Commission has worked on for a long time to bring to fruition. Now is the appropriate time to advocate for this project's funding through the Governor's Office. Commissioner Elliott said for all the people who have called on a regular basis asking for the Commission to address this problem, the Commissioners have identified a piece of property, have had some conceptual site planning performed, and are in the process of doing the needed environmental due diligence on the property. Time is of the essence to secure funding from GOMESA Act of 2006 that resides in the Governor's Office. This is a precedent setting project in that it will be the first large-infusion of GOMESA funds in Coastal Alabama. Commissioner Elliott said that is one of the reasons there is a broad base of support, even from the other side of Mobile Bay because the County is paving the way on that. He encourages Mobile and Baldwin Counties' residents to contact the Governor's Office and encourage her to allocate these funds as soon as possible. There is a clock on this purchase agreement and the Commission wants to make sure it gets in under that timeframe to secure the property and move the project forward.

Chairman Burt said in an effort to assist the County's neighbors in Florida who had some needs that came through all of the proper channels and were in order, the Commission had to act quickly to answer the request for a need for a shelter. The Red Cross was there to support the Commission. Everyone was there waiting. Somehow, wires were crossed in Florida and the evacuation never took place. Chairman Burt said there was a lot of scrambling and he regrets that. He hopes a place was found to house the nursing home and assisted living evacuees. Chairman Burt said the County was supposed to get 140 individuals who were living in an assisted living facility in Florida along with 40-60 staff members. They were going to use the County's shelter in Robertsedale for that purpose. There was an event scheduled there for area senior citizens. It was a disappointment for them to not have it, and he hopes they will be able to reschedule their event. It is a successful event for the senior citizens who display and sell their artwork and other things to raise money for Baldwin and Mobile Counties. Chairman Burt said he is unsure if it has been rescheduled. He understands Commissioner Gruber's thoughts on foregoing any cost to the County, that would have been a cost to the senior citizens and he is not

in favor of that. The State of Florida asked for the shelter and offered to repay the County and Chairman Burt feels the Commissioners should let the State of Florida pay for the cost to open the shelter.

P ADJOURNMENT

Motion by Commissioner Chris Elliott, seconded by Commissioner Tucker Dorsey, to adjourn the October 16, 2018, Baldwin County Commission meeting at 9:19 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 October 16, 2018, Baldwin County Commission meeting is adjourned at 9:19 a.m.

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