

# Baldwin County Commission

Baldwin County Commission  
Regular  
Meeting Minutes  
Tuesday, February 19, 2019 8:30  
AM



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

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

Ronald J. Cink, Budget Director

---

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 - Commissioner James E. Ball, Commissioner Joe Davis III, Commissioner BillieJo Underwood, and Commissioner Charles F. Gruber

**Absent:** 0

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

The Chairman called the meeting to order at 8:30 a.m. and introduced David Conner, County Attorney, who led the Commission in prayer. After the Pledge of Allegiance led by Commissioner James E. Ball, the Commission transacted the following business to-wit:

## ADOPTION OF MINUTES

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt the minutes of the February 5, 2019, Regular meeting.

The motion passed by the following vote:

**Aye:** 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 0

**Abstain:** 0

## B CONSENT

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Joe Davis, III, to approve the consent agenda.

The motion passed by the following vote:

**Aye:** 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 0

## **BA ADMINISTRATION**

### **BA1 Pensacola and Perdido Bays Estuary Program Interlocal Agreement**

**19-0739**

Authorize the Chairman to execute the Pensacola and Perdido Bays Estuary Program Interlocal Agreement which establishes the Estuary Program to develop and implement the Comprehensive Conservation & Management Plan (CCMP) through close cooperation with the parties, local, state, and federal agencies, and the public for effective planning, restoration, and protection of the Pensacola Bay System and Perdido Bay System.

The Agreement is between Escambia County, Santa Rosa County, and Okaloosa County, political subdivisions of the State of Florida; Baldwin County, a political subdivision of the State of Alabama; City of Gulf Breeze, City of Milton, City of Pensacola, and Town of Century, municipal corporations of the State of Florida; and City of Orange Beach, a municipal corporation of the State of Alabama.

The terms of this Agreement is three years, commencing on the effective date but may be renewed for one, additional three-year term upon notice by any party of the intent to renew. Any party to the contract shall have the power to refuse to renew the contract for another term. Refusal shall not affect the authority of the remaining parties to contract.

### **BA2 DSD Services Group, LLC - Consulting in the Form of Specialized Professional Services Contract**

**19-0732**

Approve the first twelve (12) month extension of the Professional Services Contract between the Baldwin County Commission and DSD Services Group, LLC, a limited liability corporation organized and existing under the laws of the State of Alabama and doing business as "DSD Services Group," for consulting support in the form of Specialized Professional Services related specifically to the RESTORE Act and related Deepwater Horizon Oil Spill Restoration Activities.

The term of this Agreement extension shall commence on March 6, 2019, and shall continue thereafter for twelve (12) months, with the option to extend the Agreement for one additional term of twelve (12) months, said option to be

executed by the Chairman, upon such terms as may be agreed upon by both parties. This Agreement shall be subject to cancellation or termination by either party, with or without cause, upon (30) days written notice to the other.

**BA3** 1st Annual Fort Morgan Mardi Gras Parade 2019

[19-0746](#)

Approve the requested route for the 1st Annual Fort Morgan Mardi Gras Parade, on Sunday, March 3, 2019, beginning at 1:00 p.m., and ending at 2:30 p.m., and closure of roads (Ponce de Leon, Triple Tail Lane, and Bernard Ct. East) from 12:00 p.m. to 2:30 p.m. during the event.

The Fort Morgan Volunteer Fire Department has volunteered to assist with traffic control and safety for the duration of the parade.

The Baldwin County Sheriff's Office has agreed to provide security for the event.

**BA4** City of Fairhope - Annexation Notification

[19-0657](#)

Authorize placement of the City of Fairhope's Annexation Ordinance No. 1633, which amends Ordinance No. 1253 known as the Zoning Ordinance, into the minutes of the February 19, 2019, regular Baldwin County Commission meeting with proper notification to the following departments/organizations:

Baldwin County Commission Departments:  
Baldwin County Commission  
Building Inspection Department  
Communications/Information Systems Department  
Environmental Management/Solid Waste  
Highway Department  
Planning and Zoning Department

Elected Officials:  
Baldwin County Revenue Commission  
Baldwin County Sheriff's Office

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

**BA5** Town of Loxley - Annexation Notification

[19-0743](#)

Authorize the placement of the Town of Loxley's Annexation Ordinance No. 2019-02 and No. 2019-03, annexing properties into the corporate limits of the Town of Loxley, Alabama, into the minutes of the February 19, 2019, Baldwin

County Commission regular meeting with the proper notification to the following departments/organizations:

Baldwin County Departments:

Baldwin County Commission

Building Inspection Department

Communications/Information Systems Department

Environmental Management/Solid Waste Department

Highway Department

Planning and Zoning Department

Elected Officials:

Baldwin County Revenue Commission

Baldwin County Sheriff's Office

Other Agencies:

Board of Registrars Office

Emergency 911

South Alabama Regional Planning Commission.

## **BB ANIMAL CONTROL**

### **BB1 Professional Services Agreement between Dr. Babette Dixon and Baldwin County Commission for Rabies Clinics**

**[19-0736](#)**

Take the following actions:

1) Approve and authorize the Chairman to execute a Professional Services Agreement for Rabies Clinic services with Dr. Babette Dixon. The agreement commences on February 19, 2019, and continues for a period of one (1) year expiring on February 19, 2020, with an automatic renewal for one additional one (1) year term expiring February 19, 2021; and

2) Authorize the Chairman to execute any additional Professional Services Agreements for Rabies Clinics with local Baldwin County veterinarians (with the same terms) in the future and have those agreements entered into the record at the next available Commission meeting.

## **BE BUDGET/PURCHASING**

### **BE1 Fiscal Year 2018 - 2019 Budget Amendment - Right of Way (ROW) Acquisition for Baldwin Beach Express II**

**[19-0734](#)**

Adopt Resolution #2019-043 amending the Fiscal Year 2018 - 2019 Budget (Resolution #2018-118, adopted September 18, 2018) to authorize the movement of \$1,000,000.00 from General Fund - Fund Balance to Baldwin Beach Express II

- ROW Acquisition.

**BE2**     Quotes for Architectural Design Services for the Completion of the Second Floor of the Baldwin County Fairhope Satellite Courthouse     [19-0708](#)

Approve the quote from Adams Stewart Architects, LLC, in the amount of \$1,195.00 to prepare a schematic design and construction estimate for the completion of the second floor of the Fairhope Satellite Courthouse for Commission approval and authorize the Chairman to sign the proposal for services.

**BE3**     Competitive Bid #WG19-17 - Provision of Police Vehicle Equipment for the Baldwin County Commission     [19-0709](#)

Award Bid #WG19-17 for the provision of police vehicle equipment to Dana Safety Supply, Inc., as per the Award Listing.

**BE4**     Competitive Bid #WG19-18 - Provision of Police Vehicle Accessories for the Baldwin County Commission     [19-0711](#)

Award Bid #WG19-18 to the lowest bidders, Group #1 to Floyd's Exhaust & Performance Truck Accessories, Inc. and Group #2 to Pinnacle Networkx, for the provision of police vehicle accessories as per the Award Listing.

**BE5**     Competitive Bid #WG19-19 - Provision of Cooked Meals for the Baldwin County Solid Waste Department     [19-0713](#)

Award Bid #WG19-19 for the provision of cooked meals for the Baldwin County Solid Waste Department to the lowest bidder, Piggly Wiggly as per the Award Listing.

**BE6**     Competitive Bid #WG19-20 - Provision of Rental Equipment for the Baldwin County Commission     [19-0714](#)

Award Bid #WG19-20 for the provision of rental equipment to the lowest responsible bidders as per the Award Listings for each category of headings to Hydra Service Inc.; Kingline Equipment, Inc.; Robertsdale Rent-All, Inc.; Pittman Tractor Company, Inc.; Thompson Tractor Co. Inc.; United Rentals, Inc.; Sunbelt Rentals, Inc.; and Cowin Equipment, Inc.

**BE7**     Competitive Bid #WG19-21 - Provision of Off-site Printing, Mailing and Automated Management of the Baldwin County Probate Renewal Notices     [19-0715](#)

Award Bid #WG19-21 to Peregrine Corporation for the provision of off-site printing, mailing and automated management of the Baldwin County Probate

Renewal Notices as per the Award Listing.

**BE8**    Competitive Bid #WG19-25 - Purchase of One (1) Walking Floor Trailer for the Baldwin County Commission    [19-0716](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the purchase of one (1) Walking Floor Trailer; and
- 2) Further, authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addenda or clarifications if required after the bid is advertised.

**BE9**    Competitive Bid #WG19-26 - Provision of Erosion Control Materials for the Baldwin County Commission    [19-0717](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the Provision of Erosion Control Materials; 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.

**BF    BUILDING INSPECTION**

**BF1**    Road Name Modification - Rita Parker Lane to Rita Parker Lane S    [19-0718](#)

Approve the road name modification of the southern easement off Rita Parker Lane to Rita Parker Lane S.

**BK    EMERGENCY MANAGEMENT AGENCY (EMA)**

**BK1**    Memorandum of Agreement with the Baldwin County Fire Chiefs Association for the use of the Baldwin County EMA Mailing Address    [19-0719](#)

Approve the Memorandum of Agreement between the Baldwin County Commission, through the Baldwin County Emergency Management Agency (EMA), and the Baldwin County Fire Chiefs Association (BCFCA), to allow the BCFCA to utilize the physical mailing address of the Baldwin County EMA/Emergency Operations Center (EOC) to receive correspondence.

The Memorandum of Agreement (MOA) will be effective February 19, 2019, and

will terminate February 19, 2022.

## **BL ENVIRONMENTAL MANAGEMENT**

### **BL1 Approval of Renewal Applications for Certificate of Exception from Garbage Pick-Up** [19-0741](#)

Take the following actions:

1) As authorized by Section 22-27-3 of the Code of Alabama 1975, and without limitation, approve the Application for Certificate of Exception from Garbage Pick-Up as permitted by, and applicable to, as follows:

Approve for a period not to exceed one (1) year commencing September 5, 2018:

Bruce Armstead  
39910 Bertha Cleveland Road South  
Bay Minette, Alabama 36507  
(Application Receipt No. 948)

Approve for a period not to exceed one (1) year commencing January 22, 2019:

Jessie M. Patterson  
25275 James Woerner Lane  
Elberta, Alabama 36530

### **BL2 Baldwin County Solid Waste Uncollectible Residential Accounts** [19-0740](#)

Approve the uncollectible residential garbage accounts list for write-offs in the amount of \$436.00.

### **BL3 Revision of Baldwin County Commission Policy 7.4 - Solid Waste Landfill Tipping Fees and Commercial Account Late Fees** [19-0738](#)

Adopt Resolution #2019-031, which approves the revision of Baldwin County Commission Policy 7.4 - Solid Waste Landfill Tipping Fees and Commercial Account Late Fees.

The updated policy increases the cubic yard rate from \$2.75/Yard to \$4.50/Yard (plus \$1.00/Ton Alabama Department of Environmental Management (ADEM) Fee for each ton over the 7.5 ton threshold. The updated policy also allows customers (with approved/stickered containers) to choose between the Cubic Yard rate and the established Tonnage rate per scale transaction at all locations effective April 1, 2019.

## **BM FINANCE AND ACCOUNTING**

### **BM1** Annual Agreement with Examiners of Public Accounts for the Audit of Federal Assistance Received by Baldwin County

[19-0737](#)

Take the following actions:

- 1) Related to the annual audit of Federal Assistance received by the Baldwin County Commission during the period of October 1, 2017, to September 30, 2018, and in compliance with applicable laws and regulations of the Federal Government in accordance with OMB Circular A-133 and the Single Audit Act Amendments of 1996, approve an Agreement with the State of Alabama Department of Examiners of Public Accounts for the amount not to exceed \$15,824.00 for the audit period from October 1, 2017, to September 30, 2018; and
- 2) Authorize an interim check in the amount of \$14,241.60 (90% of \$15,824.00); and
- 3) Authorize Chairman and Clerk/Treasurer to sign the Management Representation Letter at the end of the audit field work.

## **BN HIGHWAY**

### **BN1** Alabama Department of Environmental Management (ADEM) Stormwater Inspection Forms

[19-0703](#)

Approve making the Alabama Department of Environmental Management (ADEM) forms listed below part of the record:

County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2018-09-10  
County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2018-09-12  
County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2018-09-26  
County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2018-09-27  
County Road 9 Bridge Replacement - Permit No. ALR10BCH3 - 2018-11-26  
County Rd 32 at County Rd 55 Intersection - Permit No. ALR10BDJY - 2018-10-25  
County Rd 32 at County Rd 55 Intersection - Permit No. ALR10BDJY - 2018-11-01  
County Rd 32 at County Rd 55 Intersection - Permit No. ALR10BDJY - 2018-11-13  
County Rd 32 at County Rd 55 Intersection - Permit No. ALR10BDJY - 2018-11-16  
County Rd 32 at County Rd 55 Intersection - Permit No. ALR10BDJY - 2018-11-20  
County Rd 32 at County Rd 55 Intersection - Permit No. ALR10BDJY - 2018-12-03



County Rd 32 at County Rd 55 Intersection - Permit No. ALR10BDJY - 2018-12-07

County Rd 32 at County Rd 55 Intersection - Permit No. ALR10BDJY - 2018-12-10

County Rd 32 at County Rd 55 Intersection - Permit No. ALR10BDJY - 2018-12-14

County Rd 32 at County Rd 55 Intersection - Permit No. ALR10BDJY - 2019-01-02

County Rd 32 at County Rd 55 Intersection - Permit No. ALR10BDJY - 2019-01-04

Old Brady Road Pit - Permit No. ALR6850034 - 2018-10-26

Old Brady Road Pit - Permit No. ALR6850034 - 2018-11-02

Old Brady Road Pit - Permit No. ALR6850034 - 2018-11-13

Old Brady Road Pit - Permit No. ALR6850034 - 2018-11-26

Old Brady Road Pit - Permit No. ALR6850034 - 2018-12-03

Old Brady Road Pit - Permit No. ALR6850034 - 2018-12-10

Old Brady Road Pit - Permit No. ALR6850034 - 2018-12-14

Old Brady Road Pit - Permit No. ALR6850034 - 2018-12-17

Old Brady Road Pit - Permit No. ALR6850034 - 2018-12-20

Old Brady Road Pit - Permit No. ALR6850034 - 2019-01-02

Old Brady Road Pit - Permit No. ALR6850034 - 2019-01-04

Old Brady Road Pit - Permit No. ALR6850034 - 2019-01-24

**BN2** Donation of One (1) Used Vehicle to the State of Alabama Forestry Commission

[19-0728](#)

Take the following actions:

1) Approve the donation of one (1) 2012 Chevy Silverado 4x4 (VIN #1GCRKPEA4CZ177453) from the Parks Department (57200P) to the State of Alabama Forestry Commission at no charge; and

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

**BN3** Waiving of Baldwin County Commission Policy 8.14 - Travel/Training Policy - Alabama Transportation Planners Association (ATPA) 2019 Annual Conference in Gulf Shores, Alabama

[19-0729](#)

Waive Baldwin County Policy 8.14, Travel/Training Policy for County Commission Departments and Staff, and approve lodging for Sarah Hart Sislak, Metropolitan Planning Organization (MPO) Coordinator, during the 2019 Alabama Transportation Planners Association's Annual Conference on March 13 - 15, 2019, in Gulf Shores, Alabama.

**BP PERSONNEL**

**BP1**    Highway Department (Parks) - Position Change from the Parks Department to Archives and History Department    [19-0722](#)

Take the following actions:

- 1) Approve the transfer of the part-time Gate Attendant position (PID #PT35) from the Parks Department (00144/52700P) to the Archives and History Department (00106/51906); and
- 2) Approve the updated position description for the part-time Gate Attendant; and
- 3) Approve the updated organizational charts for the Parks Department and the Archives and History Department.

**BP2**    Highway Department (Parks) - Position Change    [19-0720](#)

Take the following actions:

- 1) Abolish the Mechanic I position (PID #779) grade G (grade G range: \$26,971.36 - \$44,231.20 annually); and
- 2) Create a Mechanic II position (PID #TBD) at a grade I (grade I range: \$32,508.32 - \$53,239.68 annually); and
- 3) Approve the position description for Mechanic II (Traffic Operations and Parks Option); and
- 4) Approve the updated organizational chart for the Parks Department.

**BP3**    Highway Department (Traffic Operations) - Creation of One (1) Part-Time Traffic Control Technician IV    [19-0721](#)

Take the following actions:

- 1) Approve the creation of a part-time Traffic Control Technician IV position (PID #TBD) at a grade I (grade I range: \$32,508.32 - \$53,239.68 annually); and
- 2) Approve the updated organizational chart for Highway Department - Traffic Operations.

**BP4**    Personnel Department - AirMedCare Network Services    [19-0733](#)

Authorize the Chairman to execute the AirMedCare contractual agreement (AirMedCare Network Group Full Census Membership For Baldwin County Commission) and any related necessary documents for Air Medical helicopter

coverage for employees.

This membership plan will be effective for twelve (12) months, effective as of February 19, 2019, and will be evaluated by both parties annually at least thirty (30) days prior to anniversary date, if (a) no termination notice has been sent by either party and (b) payment for the renewal period is received by AirMedCare Network before expiration of the grace period. Either party may terminate this Agreement at any time and for any reason with thirty (30) days prior written notice to the other party, but termination will not affect issued memberships.

**BP5** Revenue Commission - Personnel Changes

[19-0691](#)

Take the following actions:

- 1) Approve the promotion of Brenda Walz from the Assessment Supervisor (PID #5218) grade J-09 (\$21.428 per hour/\$44,570.24 annually) to fill the open Administrator of Assessments (PID #170) at a grade EC-07 (\$47,000.00 annually) in the Revenue Commission (51600); and
- 2) Approve the promotion of Janet Godwin from the Mapping Supervisor (PID #183) grade M-07 (\$27.047 per hour/\$56,257.76 annually) to fill the open Administrator of Mapping (PID #184) at a grade EC-08 (\$59,500.00 annually) in the Revenue Re-Appraisal Department (51810).

These changes will be effective no sooner than March 4, 2019.

**BP6** Solid Waste Department (Landfill/Collections) - Employee Changes

[19-0690](#)

Take the following actions:

- 1) Approve the employment of Emmanuel Williams to fill the open Solid Waste Technician (PID #5251) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) in the Solid Waste Collections Department (54800) to be effective no sooner than February 25, 2019; and
- 2) Approve the employment of Jeffrey Allen Jr to fill the open Solid Waste Technician (PID #5243) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) in the Solid Waste Collections Department (54800) to be effective no sooner than February 25, 2019; and
- 3) Approve the employment of Edward Sanders Jr to fill the open Solid Waste Technician (PID #5241) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) in the Solid Waste Collections Department (54800) to be effective no sooner than February 25, 2019; and

4) Approve the voluntary demotion of Keith Anderson from the Mechanic II position (PID #5272) grade I-EL (\$15.629 per hour/\$32,508.32 annually), in the Solid Waste Maintenance Department (54370) to fill the open Landfill Equipment Operator II position (PID #1049) at a grade H-01 (\$14.600 per hour/\$30,368.00 annually), in the Solid Waste Landfill Department (54300), to be effective no sooner than March 4, 2019.

## **BQ PLANNING AND ZONING**

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

**19-0730**

Related to the Baldwin County Planning and Zoning Commission, take the following actions:

1) Appoint Ms. Nancy Mackey as a regular member (as BCC District 1 Nominee) for a four (4) year pro-rata reduced term, to fill the place-seat and unexpired term formerly held by Mr. Spence Monroe, said term to commence on February 19, 2019, and expire on October 7, 2019; and

2) Accept the resignation of Mr. Spence Monroe dated January 14, 2019, and thank Mr. Monroe for his civic service as a member of the Board; and

3) Approve the following corrections pertaining to certain board members related to the Baldwin County Commission District they represent:

Remove Brandon Bias as BCC District 1 Nominee and add him as BCC District 2 Nominee; and

Remove Arthur Oken as BCC District 4 Nominee and add him as BCC District 1 Nominee.

## **C PRESENTATIONS**

### **CA GENERAL**

#### **CA1 Presentation by the Prodissee Pantry - 2018 Annual Report**

**19-0685**

Ms. Deann Servos, Executive Director of Prodissee Pantry, appeared before the Commission and provided Prodissee Pantry's 2018 Annual Report. Ms. Servos thanked the Commissioners for their time and said she wanted to share how important it is that Baldwin County continues to pray for and support Prodissee Pantry.

Commissioner Ball thanked Ms. Servos for all she does. He knows how much work she puts into Prodissee Pantry and the community is really in debt to her. Commissioner Ball said he and the community love what she does and he thanks her for that.

Ms. Servos said Prodissee Pantry cannot do this without the community's support and all of the volunteers.

Commissioner Davis said this is the best example of a community, society and the tight governmental structure the County has for people that are passionate about the needs of others and is addressed by the organization run by Ms. Servos and manned by great people who give their time, energy and effort to make good things happen for people who need good things to happen. He thanks Ms. Servos and asked her to tell her staff and volunteers they are the reason the community is successful. This organization is a great example of what happens when everyone pitches in on something they are passionate about.

Commissioner Underwood thanked Ms. Servos and Prodissee Pantry for all they do. Everything she has ever heard about Prodissee Pantry has been above and beyond. Commissioner Underwood said she appreciates what Ms. Servos does.

Chairman Gruber thanked Ms. Servos and Prodissee Pantry for what they do for the county. When the government shut down, Prodissee Pantry stepped up and helped hundreds of Coast Guard servicemen to have food on their table.

Ms. Servos said that was one of Prodissee Pantry's most difficult distributions because those are the families that always give, protect and serve. Ms. Servos said those families had to receive and be given to. Prodissee Pantry humbly served them; that is what they do. It is about hunger, it does not matter where a person comes from or their station in life. If they are hungry, Prodissee Pantry is going to address that. Ms. Servos said Prodissee Pantry will celebrate 15 years and they will be here for many years to come.

Chairman Gruber said it is amazing looking at the amount of food Prodissee Pantry handles. It is astonishing and remarkable. It is groups like Prodissee Pantry that makes Baldwin County what it is today. Prodissee Pantry sees a need and steps forward with volunteers. Chairman Gruber said volunteerism is something that is very important in the county. He thanks Ms. Servos for leading this group and making it happen in Baldwin County.

Ms. Servos said she is proud to serve Baldwin County and asked the Commissioners to pray the weather holds off as Prodissee Pantry moves forward in the construction of its parking lot.

**CA2** Presentation of Plaque to Baldwin County Commission by the American Legion Post 44 in Gulf Shores, Alabama

**19-0702**

Mr. Wayne Stacey, Past State Commander of the Alabama American Legion, appeared before the Commission and thanked the Commissioners for the opportunity to come before them. Mr. Stacey said the American Legion is celebrating its 100th anniversary of serving the nation and veterans. Mr. Stacey introduced his wife, Donna, and said they are both members of Post 44 of the American Legion of Gulf Shores, but they also work at the County and State levels of the American Legion. They are one of

six couples in the nation where a husband and wife have been State Commanders of the American Legion. Mr. Stacey commented on the increase in veterans in Baldwin County and the number of American Legion Posts and members in the county. Mr. Stacey commented on the history of the American Legion, its four pillars of foundation and the programs that have started in the American Legion. Mr. Stacey commented on the health care in the Veterans Administration (VA) system and said the American Legion was instrumental in getting the Director removed from the Gulf Coast VA facility and replaced with someone who has made leaps and bounds of progress. Mr. Stacey commented on a recent article on the relevance of veteran organizations and how it was far from the truth. He commented on various programs that are offered by the American Legion and said the Commission has assisted the American Legion for many years and they would like for the Commission to continue to assist.

Mr. Stacey presented Chairman Gruber with a plaque, expressing the American Legion's appreciation for the support the Commission has provided.

Chairman Gruber asked what are the dates for Boys State, to which Mr. Stacey replied May 26 - June 1, it is always through the Memorial Day weekend.

Chairman Gruber asked if Mr. Stacey will submit a request to assist again, to which Mr. Stacey replied "yes."

Commissioner Ball thanked Mr. and Mrs. Stacey for all they do and for coming and giving a presentation. He is not a veteran, but he is the son of a combat Vietnam veteran and he highly respects everything they do. He knows what it is like to live in a veteran's home. Commissioner Ball thanked Mr. and Mrs. Stacey for all they do and said it means a lot.

Mr. Stacey said if the Commissioners are looking for a mover and shaker in the American Legion in Baldwin County, they found one in his wife.

Commissioner Davis said he recently found his grandfather's recognition and he thought it was interesting because it said "World War" and not "World War I" because there had only been that first World War. The recognition noted his grandfather was wounded and received benefits eligible at that point. Commissioner Davis said during World War II, his dad's feet were frozen in the Battle of the Bulge five clicks away from where Commissioner Davis' grandfather was wounded. Like Commissioner Ball, he feels strongly about supporting the people who have served before them and those who are serving now. His ROTC experience was very positive. All of the young people should know that learning things in the military is an excellent education and can help them to move on to other endeavors. Commissioner Davis thanked Mr. and Mrs. Stacey and their organization for all they have done in the past, the present and the future.

Commissioner Underwood thanked Mr. and Mrs. Stacey and said she did not serve in the military, but if she could go back she would love to serve. During the last Commission meeting, she mentioned that she spent 24 hours on a Navy air craft carrier and that was the time of her life. She has many friends and colleagues who are

in veterans' organizations. Commissioner Underwood said through her regular job, she has done a lot of work for veterans' organizations. Commissioner Underwood asked if there is a Girls' State.

From the audience, Mrs. Stacey said there is a Girls' State program. It is not as large as Boys' State. She is working on getting it to grow and become as accomplished as Boys' State.

Commissioner Underwood said there were a lot of females on the air craft carrier she visited. Commissioner Underwood thanked Mr. and Mrs. Stacey for all they do.

Chairman Gruber thanked Mr. and Mrs. Stacey for all they do for the community and the veterans. They are fighting for the rights of veterans. It is a shame that this has to be done. It should be the number one priority of the nation to take care of the people who have taken care of us. Chairman Gruber said he looks forward to seeing the Staceys again when they come back with their Boys' State presentation.

## **D PUBLIC HEARINGS**

## **E COMMITTEE REPORTS**

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

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

**19-0676**

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to pay bills totaling \$2,237,968.89 (two million, two hundred thirty-seven thousand, nine hundred sixty-eight dollars and eighty-nine cents) with the exception of Vendors 31 and 93, which are listed in the Baldwin County Accounts Payable Payments - February 19, 2019, for a revised total of 2,237,049.34.

Of this amount, \$171,115.57 (one hundred seventy-one thousand, one hundred fifteen dollars and fifty-seven 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:

<b>Aye:</b>	4 -	James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber
<b>Nay:</b>	0	
<b>Absent:</b>	0	
<b>Abstain:</b>	0	

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Joe Davis, III, to pay Vendor 31 in the amount of \$442.55.

Vendor 31: Ball, James E. - \$442.55

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 1 - James E. Ball

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to pay Vendor 93 in the amount of \$477.00.

Vendor 93: Davis, Joseph Lee III - \$477.00

The motion passed by the following vote:

**Aye:** 3 - James E. Ball, BillieJo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 1 - Joe Davis III

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

[19-0678](#)

Ron Cink, Budget Director, informed the Commission that the Baldwin County Commission Interim Payments - February 19, 2019, made by the Clerk/Treasurer totaling \$2,769,049.53 (two million, seven hundred sixty-nine thousand, forty-nine dollars and fifty-three cents) are a part of the record.

## **EB ROAD AND BRIDGE DIVISION**

## **F ELECTED OFFICIAL REQUESTS**

## **G OTHER STAFF RECOMMENDATIONS**

### **GN HIGHWAY**

**GN1** Resolution #2019-048 and Revised Funding Agreement between the Alabama Department of Transportation (ALDOT) and the Baldwin County Commission for Baldwin County Visionary/Needs Plan Projects

[19-0744](#)

Ron Cink, Budget Director, said this item has been pulled from the agenda at the request of staff.

## **H COMMISSIONER REQUESTS**



## **HA COMMISSION DISTRICT 1**

## **HB COMMISSION DISTRICT 2**

Commissioner Davis said he asked Ron Cink, Budget Director, to have staff reach out to the architect regarding the second floor of the Fairhope Satellite Courthouse renovation project. The architect can have a first draft put together within 48 hours and Commissioner Davis would like to schedule a meeting with the architect on Friday at his convenience at the site to move forward with developing a plan and addressing the need for office space on the second floor.

## **HC COMMISSION DISTRICT 3**

## **HD COMMISSION DISTRICT 4**

## **K COUNTY ATTORNEY'S REPORT**

### Executive Session

**19-0835**

Chairman Gruber asked if the Commissioners will need to take action after the executive session.

David Conner, County Attorney, said there are four items for discussion during the executive session and the Commissioners may be required to take action based on the executive session. Mr. Conner asked if the Commissioners would like to enter into an executive session now, to which Chairman Gruber replied "yes."

Chairman Gruber said the Commission will come back and complete the agenda.

Ron Cink, Budget Director, said there is one person who has signed up to speak during public comments.

Commissioner Davis asked if there is an estimated time for the executive session, to which Mr. Conner replied it should last approximately 20 minutes.

Mr. Conner 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 it is anticipated the executive session will last approximately 20 minutes. He makes the oral declaration the discussion is appropriate for an executive session and after the executive session, the meeting will continue.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to enter into an executive session at 9:08 a.m. for approximately 20 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.

The motion passed by the following vote:

**Aye:** 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 0

The meeting reconvened at 9:53 a.m.

## **I ADDENDA**

### **IA1 Property Purchase on Dickman Road in Bay Minette**

**[19-0754](#)**

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to take the following actions:

- 1) Authorize the Chairman to execute the Contract of Purchase and Sale for property on Dickman Road for a purchase price of \$45,000.00; and
- 2) Adopt Resolution #2019-054 amending the Fiscal Year 2019 Budget (Resolution #2018-118 adopted September 18, 2018) to authorize the movement of \$45,000.00 from Highway Fund (Account 111.35000) to Area 100 Barn - Capital (53111.5500) for the purchase of property on Dickman Road; and
- 3) Authorize the Clerk/Treasurer to issue an interim check payable to Guarantee Title Company, in the amount of \$1,000.00 for an earnest money deposit.

The motion passed by the following vote:

**Aye:** 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 0

**IA2**     Waiver of Conflict - Baldwin County Commission and Baldwin County Board of Education

**19-0755**

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to authorize the Chairman, on behalf of the Baldwin County Commission, to sign a Waiver of Conflict as requested by Stone Crosby, P.C. (firm), which waives the conflict of interest resulting from the firm's representation of the Baldwin County Board of Education involving a variety of issues related to the formation of the Gulf Shores School System.

The motion passed by the following vote:

**Aye:**            4 -     James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber  
**Nay:**            0  
**Absent:**        0  
**Abstain:**      0

**IA3**     Baldwin County Board of Education vs. Eric Mackey et. al.

**19-0815**

David Conner, County Attorney, said on Friday, February 15, 2019, the Baldwin County Board of Education filed a complaint against Mr. Eric G. Mackey (in his individual and official capacity as the State Superintendent of Education), the Gulf Shores City Board of Education and the Baldwin County Commission related to action taken by the State Superintendent related to the separation agreement between the Baldwin County Board of Education and City of Gulf Shores' City Board of Education. Mr. Conner said it has been well noted in the news and publicly in other avenues and areas that the Baldwin County Board of Education and the City of Gulf Shores' Board of Education have been unable to reach and finalize a separation agreement between those two parties. The State Superintendent stepped in on numerous occasions to try and assist early on with mediation efforts, appointing people from different law firms to assist with that process, as well as requesting additional information, time and meetings with the parties. However, despite those efforts, no agreement has been reached on several different items.

Mr. Conner said it is staff's understanding that sometime in the past week or two, the State Superintendent of Education moved to compel the Superintendents of both Boards of Education to sign the separation agreement and the Baldwin County Board of Education has refused to authorize the Superintendent to sign those documents based on numerous issues outlined in the complaint. Some of those issues include the question of whether or not the State Superintendent has the authority to require and direct the Boards of Education without an agreement between those boards to address personnel, which schools they will attend, and under what circumstances or conditions will be required to transfer. The school year runs from July 1 to June 30. However, the fiscal year for the schools begin on August 1. The decision for the allocation for the number of students based on foundation funds that are awarded is issued on October 1, based on student enrollment at their respective schools throughout the State in the districts. These are all dates that have to work together to make the determinations as to when funding goes and where it goes.

Mr. Conner said in addition, there were discussions regarding which students would remain at what schools, under what circumstances due to transfers and what options would be available for them to attend other schools or districts. The school board takes the position that the local boards of education have the authority to determine what the enrollments would be and that should be done by an agreement between the parties. In addition, there are questions regarding whether or not the superintendent can compel action to be taken in a particular action against the wills or determinations against a local board of education as it relates to those items and others.

Mr. Conner said one of the largest issues that is looming in the lawsuit is the allocation of foundation funds for purposes of funding public school operations. Those are based on student populations and enrollments. According to the complaint that has been filed, they have been allocated by the Legislature and by statute. Those allocations are made, and funds are paid as of October 1, based on student population. According to the documents staff have reviewed and, in the complaint, it appears the State Superintendent is demanding that those allocations be made as of June 1, which would be several months in advance. Mr. Conner said that is potentially problematic for the Board of Education for numerous reasons. One reason is the Board's fiscal year has not ended and it has allocated those funds to pay existing contracts, provide student services and programs as part of its program for money that has been allocated by them as of October 1, 2018. This agreement would divert those funds to the City of Gulf Shores.

At this point in time, the Board of Education's position is the City of Gulf Shores has not opened up a school and is not operating a school at this present time. The Board takes the position that it will be fundamentally unfair to take away money that has been allocated for students that have already been served in the previous school year for students that have not yet been served by the City of Gulf Shores' Board of Education and reallocate those funds. Mr. Conner said the Board of Education's position appears to be that it has not been done at any other time that it is aware of. The Board has attached a letter to the complaint from the previous State Superintendent that stated those allocations are made as of October 1.

Mr. Conner said the issue is going to revolve around whether or not the State Superintendent has the authority to make the decisions or take the actions he has taken versus the Baldwin County Board of Education's position that he is limited in the scope of decisions he can make based on statutes passed by the Alabama Legislature.

The reason the Baldwin County Board of Education has been named in the lawsuit is because of the fact that the Baldwin County Commission acts as the collecting agent and actually levies the taxes in accordance with State law. The Commission collects those taxes and remits them to the Boards of Education in accordance with allocations made by State statute. Mr. Conner said the Commissioners have made this perfectly clear in its discussions that the Baldwin County Commission does not question the City of Gulf Shores' right and ability to separate and form its own city school system. That is provided by State law and as long as the City of Gulf Shores complies with those requirements, the Commissioners' hope that school system prospers and does very well. Mr. Conner said at the same time, the Commissioners want to make sure the Board of Education and the City

of Gulf Shores are treated on a fair playing field and that funding previously allocated to the Board of Education is not taken, placing the Board of Education in a financial position or burden that no one expected, based on State law.

Mr. Conner said as an example of what the Board of Education's question and issue is, it is tantamount to taking money for students at a new school away from the existing Board of Education and prior to the October 1 deadline while at the same time everyone knows the Baldwin County Board of Education is growing based on the influx of new residents. Even though the Board of Education is educating more students now than it was in October there is no change in allocation for any of those students around the State. All allocations remain the same until the reallocations in October. Mr. Conner said potentially, the Board of Education takes the position that they can be hit twice. One way is by the removal of the funds to the City of Gulf Shores while at the same time taking on students from other districts from which it receives no funding for that. In addition to that, the Board of Education requests the Baldwin County Commission hold the funds in escrow that are to be collected beginning June 1 in order for the court to make a determination as to the relative responsibilities and rights of the parties. Mr. Conner said in the preliminary statements sent by the State Superintendent it is unclear whether or not the statement is talking about taxes that are collected beginning June 1 going forward, or the proceeds of taxes paid to the Board of Education after June 1, 2019.

Mr. Conner said he recommends, for the Commissioners' consideration, a motion to take the following actions:

- 1) Authorize the County Attorneys to interplead any funds collected into court in accordance with orders issued by the court relative to the percentage allocation determined by the court to be appropriate; and
- 2) Authorize staff to seek clarification of the amounts and percentages to be collected from the Circuit Court in order to determine the exact amount that needs to be paid; and
- 3) Authorize staff to seek from the court, a determination of what happens in the event there is a shortfall, or an overpayment of those funds based on a miscalculation, (as discussed, those allocations are normally made in October after students have started school); and
- 4) Take any other actions deemed necessary to respond to the complaint and protect the interest of the Baldwin County Commission as it relates to the complaint, the collection and the payment of those funds; and
- 5) Authorize the Chairman and staff to take all actions deemed necessary to sign documents related to that.

Commissioner Ball said Mr. Conner stated the Board of Education's fiscal year begins in August, it begins in October.

Mr. Conner said Commissioner Ball is correct, that was a misstatement on his part. The employee contracts begin in August.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III to take the following actions:

- 1) Authorize the County Attorneys to interplead any funds collected into court in accordance with orders issued by the court relative to the percentage allocation determined by the court to be appropriate; and
- 2) Authorize staff to seek clarification of the amounts and percentages to be collected from the Circuit Court in order to determine the exact amount that needs to be paid; and
- 3) Authorize staff to seek from the court, a determination of what happens in the event there is a shortfall, or an overpayment of those funds based on a miscalculation, (as discussed, those allocations are normally made in October after students have started school); and
- 4) Take any other actions deemed necessary to respond to the complaint and protect the interest of the Baldwin County Commission as it relates to the complaint, the collection and the payment of those funds; and
- 5) Authorize the Chairman and staff to take all actions deemed necessary to sign documents related to that.

The motion passed by the following vote:

**Aye:** 4 - James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0  
**Abstain:** 0

**IA4** Baldwin County Board of Education vs. Eric Mackey et. al.

[19-0767](#)

David Conner, County Attorney, said this is a discussion regarding the extent to which the County Commission wants to take a position, one way or the other, as it relates to the claims made by the parties. As he stated earlier, the Baldwin County Commission levies the tax in accordance with applicable State law, collects the tax and remits the taxes to the appropriate Boards of Education, based on the statute. The Commission could interplead those funds and do nothing more than state that there is a conflict between the parties, and the Commission is interpleading the funds to protect itself from any claims that may be made by either party as it relates to that. Or, the Commission could decide whether or not it wants to take a position in support of the Baldwin County Board of Education and/or the City of Gulf Shores on any particular issue.

Mr. Conner said the question is whether or not the Commission wants to take action as it relates to that. Does the Commission want the County to participate in the litigation either by filing a statement of a position in support of the Board of Education or by filing an amicus brief or taking any other actions to support the Board of Education's position? Mr.

Conner said he qualifies this by saying to support the Board's position on the grounds the Commission's attorneys believe are supported by State law. He would not want the Commissioners to take a position that was contrary to that. If there is a basis in law for that support, would the Commissioners like for their attorneys to take action in support of the Board of Education. Mr. Conner suggested the Commissioners discuss this and if it appears they are in favor of doing this, then he will make a staff recommendation based on the information he hears from the Commissioners.

Chairman Gruber said he feels the Commissioners should take a stance. He is not going against public or private schools. However, this will set a precedence in the State of Alabama for every school system in the future. As far as the Commission can tell, this has never been done the way it is being done today. He wants to make sure the school system is treated equally like every other school system in the State of Alabama. The City of Gulf Shores stated it wanted to have its own school system and he supports the City in its endeavors. However, the County needs clarification on how the money will be disbursed. Chairman Gruber said that is why he is in support of the position the Commission is taking today.

Commissioner Davis said he concurs with Chairman Gruber's position. He would like to point out that this is not choosing between one group of students from another group of students. What he would like to do, and it looks like it is going to take the courts to do it, is to find out the most equitable way to transition one community into a city school system separate from the County. There are obligations for the 2018-2019 school year, many employees are paid over a 12-month period even though they only work nine months. That is for their benefit and probably for the cashflow benefit, as well. Commissioner Davis said he does not have problems with those types of details, but at what point does a new system start? It appears this would be a dramatic break from what is traditionally viewed as when a new system starts. It is one thing if expenses, incurred and remaining in the 2018-2019 school year, are picked up by the new system from June until the end. Commissioner Davis said it appears that is not the case. He sees that the amount of money designated is based on a calculation and not on true student enrollment. He understands there are students on the west end of the island who will have to drive past the schools they once went to, to go to the schools they will now go to. He is puzzled if that is the position or the reason for any of this. He is in favor of making sure the children get an education and utilizing the County's dollars in a way that benefits the County's growth. There are opportunities for the education system to be involved in workforce development if it is not at the detriment of other students, but merely to add flavor the County's offering. Commissioner Davis said he very strongly supports the Board of Education, particularly in that project. The courts will have to tell the Commission how this works out. He is supportive of the Board of Education's position, but that does not mean he is opposed to Gulf Shores' students prospering or the City having its own system. Commissioner Davis said at this point, it seems very puzzling to him how the County got in this position.

Commissioner Ball said he concurs with Chairman Gruber and Commissioner Davis and he supports the Board of Education's position and supports the County Attorney's recommendation, as well. There are so many unknowns in this process. The Commissioners have been hit with a lot of information at one time. He wishes both parties the best and prays it ends well.

Commissioner Underwood said at this time, she does not feel the Commission should take a position one way or the other because this is a matter that has been put before the courts. This is by no means unsupportive of either system, she is in support of all of the public school systems in Baldwin County. Commissioner Underwood said at this time, she feels this is not a matter for the Commission to side with either side. The Commission is a collection and dispersion agency and the courts will determine and make the decision as to the letter of the law. She firmly has faith that the courts will do that.

Mr. Conner said based on the consensus that he hears and with no disrespect to Commissioner Underwood's position, would Chairman Gruber like for him to make a recommendation based on the consensus for the Commissioners to consider?

Chairman Gruber said he thinks so.

Mr. Conner recommended the Commissioners consider a motion to authorize the Chairman, County Attorneys and staff to take a position of support as it relates to the position of the Baldwin County Board of Education in the complaint that was filed (Baldwin County Board of Education vs. Erick Mackey et. al.), to the extent that is based on applicable State law and take any and all action deemed necessary to file any briefs in support or other documentation to support those claims.

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, to authorize the Chairman, County Attorneys and staff to take a position of support as it relates to the position of the Baldwin County Board of Education in the complaint that was filed (Baldwin County Board of Education vs. Eric Mackey et. al.), to the extent that is based on applicable State law and take any and all action deemed necessary to file any briefs in support or other documentation to support those claims.

The motion passed by the following vote:

**Aye:** 3 - James E. Ball, Joe Davis III, and Charles F. Gruber

**Nay:** 1 - BillieJo Underwood

**Absent:** 0

**Abstain:** 0

After the motion, before the vote, Chairman Gruber said the Commission needs to know what is going on. The Commission has been drug into this because it distributes the money. The Commission should be in support of both systems, but it is a good thing for the County to go ahead and get started at this time.

**J ADMINISTRATIVE REPORT**

**L ANNOUNCEMENTS**

**M PUBLIC COMMENTS**



Mr. Augustine Stevens appeared before the Commission and commented on the status of the Vaughn SAIL Center in Stockton, Alabama.

Chairman Gruber said the former Commission voted to close the center for renovations. The Commission is still in the process of looking at different options in the way the center is run. There has not been a final decision on how the center will be run. He has talked with the South Alabama Regional Planning Commission (SARPC) and County staff on some of the things that should be looked at. Chairman Gruber said the Commission will have something coming up shortly to address the issues with the Vaughn SAIL Center.

Mr. Stevens asked when will the residents know about it.

Chairman Gruber said until the Commission decides to reopen the center, it is where it is at today.

Mr. Stevens asked when will the Commission make a decision? Who will know about it?

Commissioner Ball said when he talked with Mr. Stevens over the phone, he told him the overall community spokesperson for the process is Pastor Leslie Williams. Pastor Williams has been in contact with Ms. Childress and with SARPC. There have been discussions of Pastor Williams forming a board and running the center himself. Commissioner Ball said to his knowledge nothing has been done with Pastor Williams talking to SARPC and Ms. Childress to come to an agreement. The overall person Mr. Stevens can speak with to find out what is going on in the community is Pastor Williams because he has been leading the charge in this process of the Commission handing the center over to him. This needs to be a more community-wide led event. Commissioner Ball said he told Mr. Stevens the Commission offers free transportation for the members in the community to come to Bay Minette to participate in the senior activities, but Mr. Stevens said they were not interested in coming to Bay Minette.

## **N PRESS QUESTIONS**

Cliff McCollum, with Gulf Coast Media, asked what was the purpose of the purchase of the Dickman Road property?

Chairman Gruber said it is for the expansion to that facility and property.

Mr. McCollum said Senator Chris Elliott has proposed a Bill before the State Legislature that would pull back extraterritorial jurisdiction from the municipalities in terms of both police and planning. Do any of the Commissioners have any comments or thoughts on how that might affect the County or their views on that Bill in particular?

Chairman Gruber said there are issues out there within the police jurisdictions and the extraterritorial jurisdictions that are problematic for the County. One issue deals with flood prone areas. The cities and the County all have numbers for their areas that each go by. Whoever issues the permit for that area is responsible for it. If the city issues a permit and it is in the County's territory, then it comes under the County's number and the County would not have any information to back it up if there was an audit. Chairman Gruber said there are several different areas this affects. Everyone needs to get together and come up with a good remedy to help. There are some municipalities that take certain parts of it. This makes it problematic for the

Sheriff's Office, Planning and Zoning staff and everyone else when trying to find out who is doing what and where. This is something that needs to be discussed with the mayors, city councilmen and staff to come up with a means to correct this issue. It is a big issue and it is something that needs to be addressed.

Commissioner Davis said he has had a couple of conversations at the requests of some mayors. He has an upcoming meeting with another mayor and he is sure this will be one of the topics that comes up. He is about figuring out ways for the County to jointly plan. If the County is planning something that is contiguous to a city, it would make sense that the County would include that city in the conversation. Likewise, if the city is proposing an annexation that has development, he feels the County should be included. Commissioner Davis said the big concern is providing an adequate and timely public safety feature for first responders. There are some interesting islands that are hard for people to respond to. Citizens need a number or a place that they can seek help, whether it is an emergency situation or a planning situation. There are situations where citizens have to drive a considerable distance to get a building permit. Commissioner Davis said he is unsure why that is the case. He understands the Bay Minette Building Official's office was closed in 2012. It is unusual that a citizen cannot go to the County seat and get a building permit. Commissioner Davis said the Commission needs to address that; maybe Building Inspection personnel can work in Bay Minette on certain days of the week to provide the service to the citizens. Those are the types of issues that growth will make even more paramount and give more reasons to work together to anticipate the problems and have a collective and agreed upon position to move forward.

Commissioner Ball said right now, the Commission is still in the early stages of this. The Commissioners have a lot on their plates. They are still in the middle of trying to hire some employees. Commissioner Ball said the Commissioners were hit with two major events while looking through over 200 resumes. He is waiting for further meetings to discuss this matter. He hopes it all works out.

Commissioner Underwood said this is not a new idea that has been kicked around, it has been talked about for several years. Now, it has been proposed in a Bill. She feels it is definitely worth a discussion. A meeting has been set for next week amongst the Commissioners, Legislative Delegation and the Mayors. It will be interesting to hear the conversation when all of the groups get together. Commissioner Underwood said, individually, she has heard from mayors and citizens who are not in agreement with this. She would like to explore this a little further. She can see the pros and cons to it. In the long run, what she has seen of this so far, it seems that it would be an immediate burden to the County cost-wise to take over the police jurisdiction. Commissioner Underwood said she has not talked with many municipalities that have said they make money off the police jurisdiction, but there will always be some line of demarcation somewhere. There will always be a point in time where there will be a line. She feels the Commissioners are too early on to know if they will be able to work together with the municipalities in the County. Commissioner Underwood said with this Commission, they are definitely willing to try and bridge gaps that have been problematic when it comes to planning issues. Until she has exhausted those avenues, she does not want to rule them out. As Commissioner Ball said, the Commissioners have had their plates really full and this has not been something she can focus on until she talks to everybody that is involved in making the decisions collectively.

## **O      COMMISSIONER COMMENTS**

Chairman Gruber thanked staff for getting everything ready for the meeting.

## **P      ADJOURNMENT**

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to adjourn the February 19, 2019, Baldwin County Commission Regular meeting at 10:33 a.m.

The motion passed by the following vote:

**Aye:**            4 -    James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:**            0

**Absent:**        0

**Abstain:**      0

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