

Baldwin County Commission

Baldwin County Commission Regular
Meeting Minutes
Tuesday, June 4, 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

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

Absent: 0

Also present were, Wayne Dyess, County Administrator, and David Conner, County Attorney.

The Chairman called the meeting to order at 8:32 a.m. and introduced Reverend John Cory, Pastor, Stockton Presbyterian Church, Stockton, Alabama, who appeared before the Commission and 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 BillieJo Underwood, to approve the minutes of the May 21, 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

Wayne Dyess, County Administrator, said there is a replacement item before the

Commissioners for Item BA3 - Stepping Up Initiative - Creation of a Baldwin County Stepping Up Initiative Committee and Appointment of Committee Members.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to approve the consent agenda, with the exception of Item BO8 - Personnel Department - Approval of Clerk/Treasurer Position Description.

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 Baldwin County Commission District No. 3 Planning (Zoning) District Board of Adjustment (Central Baldwin County Area) - Board Resignation [19-1381](#)

As relates to the Baldwin County Commission District No. 3 Planning (Zoning) District Board of Adjustment, take the following action:

1) Accept the resignation of Ms. Judy Powell as a regular member (Planning District 31 designee) effective April 26, 2019, and thank her for her prior civic service as a member of the board.

BA2 Cindy Haber Center, Inc. - Board Appointment [19-1379](#)

Related to the Cindy Haber Center, Inc., take the following actions:

1) Accept the resignation of Ms. Peggy Vanover Barnes as a member of the Board of Directors, effective April 4, 2019, and thank her for her prior civic service as a member of the board; and

2) Accept the resignation of Ms. Laconda Davenport as a member of the Board of Directors, effective March 28, 2019, and thank her for her prior civic service as a member of the board; and

3) Adopt Resolution #2019-092, which appoints Ms. Julie Shiver Jackson as a member of the Board of Directors to replace the place seat of Ms. Laconda Davenport, for a pro-rata reduced six (6) year term, said term to commence June 4, 2019, and expire April 1, 2025.

BA3 *Stepping Up Initiative - Creation of a Baldwin County Stepping Up Initiative Committee and Appointment of Committee Members [19-1361](#)

Approve the creation of Baldwin County Stepping Up Initiative Committee which will review data and provide recommendations to the Baldwin County Sheriff and the Baldwin County Commission in an effort to reduce the number of people with mental illnesses in Baldwin County Corrections Center and the municipal jails located in Baldwin County.

Further, appoint the following individuals as members of the Stepping Up Initiative Committee of Baldwin County, Alabama, each member's term to commence on June 4, 2019, and conclude on September 30, 2020:

- 1) Commissioner Billie Jo Underwood, Baldwin County Commission; and
- 2) Commissioner James E. Ball, Baldwin County Commission (as alternate member for Commissioner Underwood); and
- 3) Representative of the Jennifer Claire Moore Foundation (as a citizen appointment); and
- 4) Representative of the Baldwin County Mental Health; and
- 5) Sheriff Huey Hoss Mack, Baldwin County Sheriff's Office; and
- 6) Major Steve Arthur, Baldwin County Sheriff's Office; and
- 7) Chief Al Tolbert, Bay Minette Police Department; and
- 8) Ellen Nadowski, Nurse, Baldwin County Corrections Center; and
- 9) Colonel Steve Carey, United States Air Force, Retired (as a citizen appointment); and
- 10) Heather Brown, National Alliance of Mental Illness.

BA4 The Southern Brain Injury Clinic's Dead Head Charity Bike Ride

[19-1392](#)

Approve the requested routes (only for County Road portions) for the Southern Brain Injury Clinic's Dead Head Charity Bike Ride on July 14, 2019, beginning at Five Rivers Delta in Spanish Fort at 7:30 a.m. and ending at approximately 11:30 a.m. at the same location.

The Baldwin County Sheriff's Office has agreed to assist with traffic control.

BC **ARCHIVES AND HISTORY**

BC1 Alabama 200 Baldwin County Bicentennial Culminating Events

[19-1378](#)

Take the following actions:

- 1) Approve the request for the Baldwin County Bicentennial Steering Committee to plan and coordinate culminating events for the Alabama 200 Bicentennial Celebration in Baldwin County and for a “Bicentennial Exhibition” Event to be held at the Daphne Civic Center on November 11, 2019; and
- 2) Authorize the payment of the venue rental fee for the Daphne Civic Center in the amount of \$865.00 for the above event and authorize Finance and Accounting Department to remit a check payable to the City of Daphne; and
- 3) Authorize the Baldwin County Bicentennial Steering Committee to place the Bicentennial float in as many Baldwin County Bicentennial events and Christmas parades as schedules will allow.

BC2 County Fixed Asset Change - 2009 Jeep Liberty Limited

[19-1377](#)

Take the following action:

- 1) Authorize the transfer of a 2009 Jeep Liberty Limited (VIN #1J4GK48K9SW649767) from the Administration Department to the Archives Department.

BD **BUDGET/PURCHASING**

BD1 Competitive Bid #WG19-43 - Provision of Pest Control Services for the Baldwin County Commission

[19-1356](#)

Take the following actions:

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

BD2 Competitive Bid #WG19-44 - Provision of Bottled Water for the Baldwin County Commission

[19-1357](#)

Take the following actions:

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

BD3 Pre-qualification of Contractors for the Interior Build-out of the Second Floor of the Baldwin County Satellite Courthouse Located in Fairhope, Alabama

[19-1360](#)

Authorize the Purchasing Director to advertise the Pre-qualification of Contractors for the Interior Build-out of the Second Floor of the Baldwin County Satellite Courthouse located in Fairhope, Alabama.

BD4 Request for Qualifications (RFQ) for On-call Construction Services for the Baldwin County Commission

[19-1358](#)

Approve the following five (5) construction firms for the Baldwin County Commission "On-Call" list for Construction Services for public works project that fall within the \$15,000.00 to \$49,999.00 project cost for thirty-six (36) months: E-J Builders, Inc.; Thomas Construction; The Highland Group; Nations Roof Gulf Coast, LLC, and Corporate Vision, Inc.

BD5 Request for Qualifications (RFQ) for Professional Architectural Services for the Baldwin County Commission

[19-1359](#)

Approve the list of eleven (11) Architectural firms for the Baldwin County Commission "On-Call" list for Architect Services for thirty-six (36) months.

BD6 Appropriation of Public Funds

[19-1366](#)

Approve the following changes to the process of appropriating public funds:

1) For the Fiscal Year 2020 Budget Process and forward, approve changes to the appropriation agreements using the following schedule. Instead of the agreements requiring a written report of activities for the appropriation period for all appropriations, regardless of the amount of funding requested, use the following schedule:

\$5,000.00 or less - written report of activities for the appropriation period.

\$20,000.00 or less - written report of activities for the appropriation period and an annual report that includes the appropriation period.

\$20,001.00 or more - written report of activities for the appropriation period, an annual report that includes the appropriation period, and a copy of the most recent audited financial statements (must not be older than 2 years prior to the appropriation period).

2) For Fiscal Year 2021 forward, approve the creation of an online grant management system with application guidelines TBD at a later date. Additionally, for Fiscal Year 2021 forward, the appropriation agreements will utilize the same or a similar schedule that is being used for Fiscal Year 2020, but final details will be provided in the online grant

management system.

BD7 Perdido Bay Water Sewer and Fire Protection District - Program Year
2018 Community Development Block Grant Award from Alabama
Department of Economic and Community Affairs

[19-1375](#)

Take the following actions:

1) Adopt Resolution #2019-094 accepting the Community Development Block Grant (CDBG), project number CY-CM-PF-18-009, from the Alabama Department of Economic and Community Affairs (ADECA) for the extension of water services along County Highway 93 and adjacent roads beginning south at US Highway 98 and ending north at Bishop Trace Road, near Lillian and authorize the Chairman to sign necessary documents and execute the grant agreement on behalf of the Baldwin County Commission; and

2) Adopt Resolution #2019-095 authorizing the execution of the Intergovernmental Sub-Recipient Agreement between the Baldwin County Commission and Perdido Bay Water Sewer and Fire Protection District for implementation of the CDBG project number CY-CM-PF-18-009 and authorize the Chairman to sign necessary documents and execute the Intergovernmental Sub-Recipient Agreement between the Baldwin County Commission and Perdido Bay Water Sewer and Fire Protection District.

BG COMMUNICATIONS/INFORMATION SYSTEMS (CIS)

BG1 Tyler Technologies - License and Service Agreement

[19-1387](#)

Approve and authorize the Chairman to sign all documents related to the purchase and installation of Tyler software and related services through a Sourcewell contract, formerly known as National Joint Powers Alliance, for the amount of \$1,140,220.00 with an additional estimated travel cost of \$97,270.00. Invoicing for all fees are set forth in the Investment Summary per Tyler Technologies' Invoicing and Payment Policy attached in the License and Services Agreement. (The Contract is effective upon full execution.)

BH COUNCIL ON AGING

BH1 Title III Older Americans Act Contract Proposal and Application for Fiscal
Year 2020

[19-1380](#)

Approve the Baldwin County Council on Aging Coordinator to submit the South Alabama Planning Commission/Area Agency on Aging Application for Title III Funding for Fiscal Year 2020, requesting funds in the amount of \$134,523.00, effective October 1, 2019, through September 30, 2020, said funding to support the operations of the Baldwin County Council on Aging programs.

BI ELECTED OFFICIALS

BI1 Insolvents, Errors and Taxes in Litigation for 2018

[19-1376](#)

As requested by the Revenue Commissioner of Baldwin County, the Honorable Teddy J. Faust, Jr., and in conformance with Section 40-5-23 of the Code of Alabama (1975) and any other applicable law, take the following actions:

- 1) Approve report titled Insolvents, Errors and Taxes in Litigation for 2018; and
- 2) Authorize the Chairman to execute the aforesaid report/instrument.

BM **HIGHWAY**

BM1 Highway Safety Improvement Program (HSIP) - Project Funding
Application for Intersection Improvements at US Highway 31 and Old
Highway 31 in Spanish Fort

[19-1371](#)

Take the following actions:

- 1) Authorize the Highway Department to submit a project funding application to the Alabama Department of Transportation (ALDOT) for a Highway Safety Improvement Program (HSIP) Intersection Improvements Project at US Highway 31 and Old Highway 31 in Spanish Fort; and
- 2) Authorize the Chairman to execute a letter of intent and any other application related documents as required.

BM2 Intergovernmental Service Agreement with the City of Spanish Fort for
Mowing of Certain Roads in Spanish Fort City Limits

[19-1369](#)

Approve the Intergovernmental Service Agreement between the Baldwin County Commission and the City of Spanish Fort for Area 100 Maintenance Crews to mow the following roads inside the corporate limits of the City of Spanish Fort:

Bromley Road
County Road 39
D'Olive Road
Jimmy Faulkner Drive

The City of Spanish Fort will be billed quarterly for the actual cost of the work performed.

(The term of this agreement shall be for twenty-four (24) months from the date of full execution of both parties and may be terminated as set forth therein.)

BM3 Road Acceptance for S-17014 - Hidden Lakes, Phase II

[19-1372](#)

Take the following actions:

1) Accept the following Hidden Lakes, Phase II subdivision roads for maintenance and authorize said roads to be added to the County Maintenance Road List:

Street Name: Lanier Boulevard

Length: 1,008 ft.

Maintenance Area: 300

Asphalt Width: 24 ft.

Street Name: Lewis Smith Drive

Length: 3,160 ft.

Maintenance Area: 300

Asphalt Width: 24 ft.

Street Name: Pickwick Drive

Length: 1,310 ft.

Maintenance Area: 300

Asphalt Width: 24 ft.

2) Approve the Subdivision Roadway and Drainage Improvement Acceptance Agreement and accept the Surety Document from Liberty Mutual Insurance Company on behalf of D.R. Horton, Inc. in the amount of \$415,947.52 to guarantee the workmanship and materials of the roadways and drainage improvements within the public rights-of-way as shown on the approved Final and "As-Built" construction plans.

BN JUVENILE DETENTION

BN1 Agreement for Prison Rape Elimination Act (PREA) Auditing Services for the Juvenile Detention Center (JDC)

[19-1365](#)

Take the following actions:

1) Approve the agreement between the Baldwin County Commission and Kimberly C. Bonner, Prison Rape Elimination Act (PREA) Consultant, for the provision of PREA auditing services for the Baldwin County Juvenile Detention Center in the total amount of \$3,500.00. Term of agreement will commence on the date of its full execution and terminate on August 1, 2019, unless there is a need for corrective action(s), therefore 180 days after said date or the deliverance of the final report; and

2) Authorize the Chairman to sign the Agreement and any related documents.

BO PERSONNEL

BO1 Animal Shelter/Control - Employment of One (1) Part-Time Animal Control Technician

[19-1334](#)

Approve the employment of Kayla York to fill the open part-time Animal Control Technician (PID #PT54) at a grade F-EL (\$11.810 per hour) to be effective no sooner than June 10, 2019.

BO2 CIS Department - Promotion of Employee into Systems Administrator Position

[19-1336](#)

Approve the promotion of Nestor Garcia from the Communications Technician III position (PID #5212) grade L-02 (\$21.775 per hour/\$45,292.00 annually) to fill the open Systems Administrator position (PID #983) grade EC-08 (\$53,372.00 annually) to be effective no sooner than June 10, 2019.

BO3 Highway Department (Administration) - Employment of One (1) Office Manager Position

[19-1384](#)

Approve the employment of Kristen Rawson to fill the open Office Manager position (PID #5012) at a grade G-03 (\$13.962 per hour/\$29,040.96 annually), with said salary due to experience, to be effective no sooner than June 10, 2019.

BO4 Highway Department (Bay Minette) - Personnel Changes

[19-1335](#)

Take the following actions:

1) Approve the promotion of Jaroslav Koutny from the Operator Technician II position (PID #4040) grade H-10 (\$18.238 per hour/\$37,935.04 annually) to fill the open Operator Technician III position (PID #266) at a grade I-09 (\$19.517 per hour/\$40,595.36 annually); and

2) Approve the promotion of Mark Pugh from the Operator Technician I position (PID #5386) grade G-01 (\$13.287 per hour/\$27,636.96 annually) to fill the open Operator Technician II position (PID #4040) at a grade H-EL (\$14.246 per hour/\$29,631.68 annually).

These actions will be effective no sooner than June 10, 2019.

BO5 Highway Department (Foley) - Personnel Changes

[19-1337](#)

Take the following actions:

1) Approve the promotion of Paul Penry, III, from the Laborer position (PID #642) grade E-09 (\$13.465 per hour/\$28,007.20 annually) to fill the open Operator Technician I position (PID #643) at a grade G-04 (\$14.314 per hour/\$29,773.12 annually); and

2) Approve the promotion of Joseph Harris from the Laborer position (PID #3080) grade E-EL (\$10.781 per hour/\$22,424.48 annually) to fill the open Operator Technician I

position (PID #713) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually); and

3) Abolish the Laborer positions (PID #642 and #3080).

These actions will be effective no sooner than June 10, 2019.

BO6 Highway Department (Parks) - Employment of Two (2) Landscape Technician I Positions

[19-1338](#)

Take the following actions:

1) Approve the employment of David Williamson to fill the open Landscape Technician I position (PID #5181) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually); and

2) Approve the employment of James Jones to fill the open Landscape Technician I position (PID #305) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually).

These actions will be effective no sooner than June 10, 2019.

BO7 Highway Department (Silverhill) - Promotion of Employee into Operator Technician II Position

[19-1341](#)

Approve the promotion of Timothy Hallford from the Operator Technician I position (PID #3079) grade G-EL (\$12.967 per hour/\$26,971.36 annually) to fill the open Operator Technician II position (PID #4080) at a grade H-EL (\$14.246 per hour/\$29,631.68 annually) to be effective no sooner than June 10, 2019.

BO9 Revenue Commission - Promotion of Employees Into Real Property Analyst I Positions

[19-1340](#)

Take the following actions:

1) Approve the promotion of Deanna Caraway from the Real Property Appraiser I position (PID #5375) grade J-11 (\$22.506 per hour/\$46,812.48 annually) to fill the open Real Property Analyst I position (PID #3014) at a grade L-06 (\$24.033 per hour/\$49,988.64 annually); and

2) Approve the promotion of Matthew Boyington from the Real Property Appraiser I position (PID #5349) grade J-05 (\$19.424 per hour/\$40,401.92 annually) to fill the open Real Property Analyst I position (PID #1037) at a grade L-E (\$20.723 per hour/\$43,103.84 annually).

These actions will be effective no sooner than June 10, 2019.

BO8 Personnel Department - Approval of Clerk/Treasurer Position Description

[19-1385](#)

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to table this item and bring the updated Clerk/Treasurer position description back to the June 11, 2019, Baldwin County Commission work session.

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

C PRESENTATIONS

CA GENERAL

CA1 Employees of the Quarter for 1st Quarter 2019

[19-1342](#)

Deidra Hanak, Personnel Director, appeared before the Commission and said she is humbled to once again be able to present the Employees of the Quarter for the 1st Quarter of 2019. As with every group before, this group represents special employees who go above and beyond their call of duty in their positions every day and they are recognized not only by citizens, but by their peers. Ms. Hanak said whether they work face-to-face with citizens every day or whether they work behind the scenes that citizens never see, the County is grateful to be able to recognize the employees. Each quarter employees are selected based on factors such as improving internal services, improving work processes to become more efficient and performing at a level above and beyond the normal job requirements.

Joey Nunnally, County Engineer, appeared before the Commission and introduced Jessie Ikner, who works for the Parks Division of the Highway Department. Mr. Nunnally said Mr. Ikner always has a smile on his face and takes a lot of pride in his work. Mr. Ikner does a great job, he is consistently at work and consistently serving others. Mr. Nunnally said it is his pleasure to present the Employee of the Quarter Certificate to Mr. Ikner.

Seth Peterson, Construction Development Manager, appeared before the Commission and introduced Justin Thweatt, Bridge and Project Coordinator for the Highway Department's Construction Department. Mr. Peterson said Mr. Jason Myers, an employee of the Highway Department, died unexpectedly last year. The week before Mr. Myers passed away, he nominated Mr. Thweatt as an Employee of the Quarter. Mr. Peterson said Mr. Thweatt took over the Bridge Inspection and the Construction Inspection programs when two long-time employees left. Mr. Peterson said in addition to Mr. Myers' death, the Highway Department recently suffered another loss in the death of Mr. Elmer Cook. Mr. Thweatt is a great asset to the Highway Department and he appreciates the Commissioners honoring him for what he does. Mr. Peterson presented Mr.

Thweatt with the Employee of the Quarter Certificate.

Terri Graham, Development and Environmental Director, appeared before the Commission and introduced Amy Galemore, Deputy Solid Waste Officer I. Ms. Graham said Ms. Galemore was nominated by the County's Citizens Service (Call) Center. She has been employed with the County for approximately five years. Ms. Galemore works under Kim Grainger, Deputy Solid Waste Officer. Ms. Graham said the Call Center can call on Ms. Galemore any time there is a question on where to direct a call. The Call Center and the Solid Waste Department are appreciative of Ms. Galemore for all of her hard work. Ms. Graham thanked Ms. Galemore for all she does and presented her with the Employee of the Quarter Certificate.

CA2 Presentation by the Jennifer Claire Moore Foundation

[19-1383](#)

Ms. Frances Holk Moore Jones, appeared before the Commission and said she was asked to give the history of the Jennifer Claire Moore Foundation (JCM Foundation). Ms. Jones quoted Captain Sully Sullenberger who said "And then you know this event will forever change your life. It will divide everything into 'before' and 'after' the event. Ms. Jones said she had one of those events that began with a phone call. Her daughter, Jennifer, shot and killed herself. Ms. Jones said dear friends gathered together to make Jennifer's life and legacy positive. Several of Jennifer's classmates stated they heard Jennifer mention suicide, but they did not know who to talk to. Ms. Jones said she went on a mission to make sure the youth and future leaders of Baldwin County had someone they could talk to. The JCM Foundation was created and quickly began the process of Peer Helpers. Today, Peer Helpers are in 49 schools in Baldwin County that want assistance. It is an accredited elective that is recognized by the Department of Education through the State of Alabama. Ms. Jones said students are now educated and trained. Statistically, the number one person a student would go to is a fellow peer. Thanks to the Commission's help and many other generous organizations, the Peer Helpers program is in the schools. Ms. Jones said the students do not give advice, but are taught the professional services that help others to make life-long, quality, educated decision making processes that will help them many years down the road. Ms. Jones introduced Ms. Allison Moore, Executive Director, Jennifer Claire Moore Foundation, and said Ms. Moore will share some of the stories of the Peer Helpers in Baldwin County who help students make positive, life-long decisions.

Ms. Moore appeared before the Commission and said she is excited to share what the Peer Helpers program is. It is hard to imagine such a tragedy happening to anyone. Ms. Moore presented a slide show on "Peer Helpers, A Jennifer Claire Moore Program: Be the Good...Show the Way...Lend a Hand!" Ms. Moore thanked the Commissioners for their time and the opportunity to share what the JCM Foundation does and said it is a blessing to be in Baldwin County schools.

Chairman Gruber thanked Ms. Moore and Ms. Jones for coming and informing the public about the program. The program is very important for the children because times have changed. There is more going through youths' mind than what people realize. They need all the help they can get and that is what the JCM Foundation does. Chairman Gruber said the Commission appreciates the JCM Foundation's efforts and will continue to support them.

Commissioner Ball thanked Ms. Moore and Ms. Jones for sharing what the JCM Foundation does and said it has been a blessing getting to know them and learn more about the organization. Commissioner Ball asked Ms. Moore to talk about any upcoming events the public may need to know about.

Ms. Moore said August 1-3, 2019, the JCM Foundation's Annual Professional Cowboy and Cowgirl Rodeo will be held at the Foley Horse Arena. Information to sponsor this event can be found at peerhelpers.org. Ms. Moore said there will be children's activities and free horseback rides. This is the Foundation's 22nd year for this event; it is a great time for a great cause.

Commissioner Davis said the public often hears him talk about paradise. It is the passion, time and effort that citizens put into things that are important to them that makes it paradise. Commissioner Davis said he appreciates what the JCM Foundation does and how they do it. Everyone who is watching should determine what they are passionate about and what they can do to make paradise even better.

Commissioner Underwood thanked Ms. Moore and Ms. Jones for helping to make a difference. It speaks volumes that Ms. Jones was able to take a dark day and help make it brighter for others. She has heard so much about the Foundation and it is nice to personally hear the presentation. She hopes this helps get the word out. Commissioner Underwood said she is happy the Commission was able to help be a "voice" for the Foundation.

CA3 Proclamation - RIDEYELLOW DAY - June 15, 2019

[19-1177](#)

Mr. Josh Hodge, Manager of North Baldwin Wellness Center and Project Coordinator of RIDEYELLOW, and Mr. Ben Hansert, President, North Baldwin Infirmary, appeared before the Commission to accept the proclamation as presented by Commissioner Davis on behalf of the Commission.

After Wayne Dyess, County Administrator, read the proclamation, Mr. Hodge thanked the Commissioners and the community for their support of the RIDEYELLOW event. It impacts a lot of people, especially those who have dealt with cancer or family or friends who have dealt with it. That is the purpose of the RIDEYELLOW event which brings approximately 400 riders. The proceeds will benefit Camp Rap-a-Hope to help children and their families who are dealing with cancer. Mr. Hodge said he appreciates everything the Commission and the

community do.

Mr. Hansert said they are delighted to be the host of this great event. He thanks the Commission, the City of Bay Minette, the police and fire departments and all of the volunteers who serve this event. There are over 200 volunteers who help to put this event on each year. Mr. Hansert said this event could not be done without the Commission, the volunteers and the City and its first responders. This is a great, tremendous event that he looks forward to each year and it is a great event for the North Baldwin County area. Mr. Hansert thanked the Commissioners for their support and said he appreciates them.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt a proclamation which proclaims June 15, 2019, as "RIDEYELLOW DAY" in Baldwin County, Alabama.

The motion passed by the following votes:

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

Nay: 0

Absent: 0

Abstain: 0

CA4 Resolution #2019-093 - Commending Ecumenical Ministries, Inc. of Baldwin County for 50 Years of Service and Establishing Ecumenical Ministries Day in Baldwin County, Alabama

[19-1367](#)

Representatives of Ecumenical Ministries, Inc. (EMI) appeared before the Commission to accept the resolution as presented by Commissioner Underwood on behalf of the Commission.

After Wayne Dyess, County Administrator, read the resolution, Ms. Sally Deane, Executive Director of EMI, thanked the Commission on behalf of the Board of Directors, staff and many volunteers of the Ecumenical Ministries. EMI is starting its celebration of its 50th year of service in Baldwin County. The main event will be held in January 2020 celebrating all of the things EMI has done in Baldwin County since its beginning. Ms. Deane said she is proud to be the Executive Director and she thanks the Commissioners for everything they have done.

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, to adopt Resolution #2019-093 of the Baldwin County Commission, commending Ecumenical Ministries, Inc. of Baldwin County for 50 years of Service and establishing the last Sunday in January, perpetually, as Ecumenical Ministries Day in Baldwin County, Alabama.

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

CA5 2019 Preparedness Expo Debrief

[19-1391](#)

Jenni Guerry, Baldwin County Emergency Management Agency (EMA) Logistics and Education Outreach Coordinator, appeared before the Commission and said she is here today to help the Commissioners understand the wonderful activities EMA had with the Disaster Preparedness Expo held on May 15, 2019. Ms. Guerry said the arenas EMA works in are response, recovery, preparedness and mitigation. EMA believes in being very proactive in helping citizens and understand the County is growing at a phenomenal rate. EMA wants to help reach individuals who have not had an experience with a disaster. Citizens live in paradise, but are susceptible to certain disasters. Ms. Guerry presented a slideshow on Baldwin County Emergency Management Agency - Baldwin County Preparedness Campaign.

Chairman Gruber thanked Ms. Guerry and the EMA staff for preparing for this event. The magazine is fantastic and it has been circulated throughout the county. The magazine has a lot of information in it that will help citizens.

Mr. Zach Hood, EMA Director, appeared before the Commission and said he would like to point out the work prepared by EMA staff. He would like to take the opportunity to capitalize on this type of excellence. The challenge in emergency management is to operate with excellence; there is no other choice. The EMA's nature of work is to protect lives and property. That is what they do; it is their mission and scope. The challenge for the employees is how to operate with excellence. The challenge for other department heads and the community is what can be done of excellence in emergency preparedness. What can be done to help the EMA plan, prepare and persevere? Mr. Hood said what Ms. Guerry and Jessie Peacock, Assistant EMA Director, have done with their vision is to provide a foundation and platform to do this. Mr. Hood said he would like to take this opportunity to present a Certificate of Excellence to Ms. Guerry and Mr. Peacock, who could not be here today. He does not want this to be the last time someone is recognized for their excellence. Mr. Hood said the expo event was second to none and he thanked Ms. Guerry for her work. Mr. Hood presented Ms. Guerry with the certificate.

Ms. Guerry thanked the Commissioners and said it is a privilege and honor to serve the Baldwin County Commission. She has a passion for what she does and loves serving her community in this capacity.

CA6 Highway Department - Fiscal Year 2019 Mid-Year Progress Report

[19-1373](#)

(October 1, 2018 - March 31, 2019)

Joey Nunnally, County Engineer, appeared before the Commission and presented a slideshow on the Highway Department's Highway Management Plan - Fiscal Year 2019 Mid-Year Progress Report, which he also provided to the Commissioners in book form.

Commissioner Ball commended Mr. Nunnally and his staff for what they do and said Mr. Nunnally's presentation is one of the most professional Highway presentations he has ever seen. Mr. Nunnally and his team have done a good job on this. Commissioner Ball said hearing and looking at what the County is doing, how it is progressing and how it is keeping up makes him proud to be a part of the team. He will keep this presentation to show citizens what the County is doing. Commissioner Ball thanked Mr. Nunnally and his staff for what they do.

Commissioner Davis said he is impressed that Mr. Nunnally has a great team and he gets in the weeds. When the Commissioners get a call from a constituent with a legitimate point about something that is needed, all the Commissioners have to do is reach out to Mr. Nunnally or his team. They get on it and get back with the people. It is important for citizens to know that not only are the Commissioners doing the big projects, but they are taking care of the smaller projects. Commissioner Davis thanked Mr. Nunnally for getting in the weeds to make sure the smaller projects are taken care of.

Commissioner Underwood said when she saw Mr. Nunnally yesterday, she did not know that she would get a nice present. Like Commissioner Ball, she will ride around with this presentation until Mr. Nunnally provides an updated one and she will not have to call and ask so many questions about ongoing projects. She is excited and appreciates the Highway Department's staff more than they can imagine. The Highway Department has helped her many times with citizens. Commissioner Underwood said she likes paving roads and wishes the County had the money to give to the Highway Department to pave more.

Chairman Gruber said this is a good presentation with fine details. Mr. Nunnally should mention that regarding the County's funding position, for the upcoming year, the County lost approximately \$500,000.00 in Federal money that was coming to the County. That money was what the County used mostly for bridges. The County was supposed to get \$2 million, but it is actually getting \$1.5 million. The Gas Tax helped the County some, but not a lot. The State will fare well with the money it is getting for its projects.

Mr. Nunnally said Chairman Gruber is correct. The County used to get \$533,000.00 in FAS money every year which was used to replace a bridge every year. This was taken away with the new Gas Tax. The County is projected to get approximately \$2 million once the tax is fully implemented, but that is three years down the road. Mr. Nunnally said Chairman Gruber made a good point and he

should have mentioned that.

Chairman Gruber said next year's funding will be a lot shorter minus that money. He wanted to point this out in case someone wondered what happened. He wants the public to know what the County is going through with this. It is very important to remember that.

Mr. Nunnally said he could not do this without his staff. He has a wonderful staff and he appreciates all they do. Staff stayed late in preparing this presentation and put everything together for the Commissioners.

Chairman Gruber said over the weekend Mr. Nunnally lost another employee who was killed along the side of the road as he worked on his motorcycle. Elmer Cook was a very good employee and he was dedicated to his job.

Chairman Gruber asked for a moment of silence in remembrance of Mr. Cook.

D PUBLIC HEARINGS

E COMMITTEE REPORTS

EA FINANCE/ADMINISTRATION DIVISION

EA1 Payment of Bills

[19-1344](#)

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Joe Davis, III, to pay bills totaling \$10,494,679.56 (ten million, four hundred ninety-four thousand, six hundred seventy-nine dollars and fifty-six cents).

Of this amount, \$8,772,409.63 (eight million, seven hundred seventy-two thousand, four hundred nine dollars and sixty-three cents) is payable to the Baldwin County Board of Education for its portion of the County Sales and Use Tax.

The motion passed by the following vote:

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

Nay: 0

Absent: 0

Abstain: 0

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

[19-1345](#)

Wayne Dyess, County Administrator, informed the Commission that the Baldwin County Commission Interim Payments - June 4, 2019, made by the Clerk/Treasurer totaling \$1,274,326.36 (one million, two hundred seventy-four thousand, three hundred twenty-six dollars and thirty-six cents) are a part of the

record.

EB ROAD AND BRIDGE DIVISION

F ELECTED OFFICIAL REQUESTS

G OTHER STAFF RECOMMENDATIONS

GM HIGHWAY

GM1 Request for an Attorney General's Opinion - Bluewater Drive and Pine Drive

[19-1386](#)

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to take the following actions related to a request for an Attorney General's Opinion regarding the responsibility of Bluewater Drive and Pine Drive in the Town of Elberta:

- 1) Adopt and authorize the execution of Resolution #2019-098; and
- 2) Authorize the Chairman to execute correspondence to Steve Marshall, Alabama Attorney General; and
- 3) Approve and authorize the execution of any and all such other related documents by the Chairman necessary to authorize and effect the request of the above Attorney General's Opinion.

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

After the motion and before the vote, Chairman Gruber said this will help the Commission clear up a matter it has been working on for a while. This is the only way to get a proper answer.

H COMMISSIONER REQUESTS

I ADDENDA

J ADMINISTRATIVE REPORT

Wayne Dyess, County Administrator, said he appreciates the Commission's approval of the Request for Proposal (RFP) for the Strategic Plan. Staff is preparing the RFP now and hopes to have it released within a week or so in order to get started on this process. Mr. Dyess said as the Commissioners know, a strategic plan is important to any organization, private or governmental, and he is looking forward to this process.

K COUNTY ATTORNEY'S REPORT

David Conner, County Attorney, said he has no report; however, there are a couple of items to discuss during an executive session. Mr. Lee Lawson, President and CEO of Baldwin County Economic Development Alliance, will be here shortly and will make the oral declaration as it relates to negotiations involving matters of trade and commerce. There will be no action to be taken and the Commission can enter into the executive session and adjourn the meeting from that point.

L ANNOUNCEMENTS

M PUBLIC COMMENTS

N PRESS QUESTIONS

Guy Busby with Gulf Coast Media appeared before the Commission and asked if there was a particular reason why Consent Agenda Item BO8 was tabled.

Commissioner Ball said the Commissioners are bringing it back to the work session with a clear job description and put the final touches on it.

Mr. Busby asked if there was any particular thing the Commissioners needed to clarify?

Commissioner Underwood said she does not feel what the Commissioners conveyed during the work session was delivered in the printed item. There were a couple of things that were misunderstood, and she feels the Commissioners should go back and discuss it in a work session.

Commissioner Davis said it is adjustments to the details. The Commissioners thought they made points that were construed differently. They want to make sure they get it right when it is brought forth.

O COMMISSIONER COMMENTS

Commissioner Ball said he extends his condolences to the family of Elmer Cook, an employee of Highway Department, who recently passed away. The Commissioners are praying for the family as they go through this difficult time.

Commissioner Davis said he concurs with Commissioner Ball. These are tough times that the Commissioners are going through, but it also makes them realize how important it is to take advantage of every day they have to do something good for their families and everyone. Everyone should be thankful of every day they have and utilize it to the fullest.

Commissioner Underwood said she will miss Mr. Cook. When she found out Mr. Cook passed she realized she knew him. It is hard to hear this news, no matter what, but when you know the person it makes it harder. Mr. Cook was a good man. Commissioner Underwood said, on a lighter note, snapper season opened this past weekend and she encourages the public to go deep sea fishing.

Chairman Gruber recognized in the audience, Ms. Donna Givens with Baldwin EMC and asked if she would like to make any comments.

Ms. Givens appeared before the Commission and said she has a group of employees who are shadowing different employees throughout the company to see what they do. Ms. Givens thanked the Commissioners for what they do and she is pleased to be able to join them this morning.

Chairman Gruber said it is fantastic that Baldwin EMC is shadowing different people to see what they do. Last week a blood drive was held at its headquarters and made its goal.

Ms. Givens said yes, 112 pints of blood were donated; the goal was set at 100. For the second time, Baldwin EMC exceeded its goal. Baldwin EMC is thankful for the community coming out to help meet its goal. Ms. Givens thanked Chairman Gruber for donating.

Chairman Gruber said it was a very good turnout. There is a shortage of blood, the amount of citizens in the County and the amount of blood needed for different reasons, is astronomical. Chairman Gruber thanked Baldwin EMC for hosting this annual event.

Ms. Givens said the next blood drive will be in November, she will make sure the Commissioners are aware of this. She thanked the Commissioners for all they do and for their willingness to serve.

Commissioner Ball said if the employees want to shadow the Commissioners for a while, they can borrow their County cell phones for a day.

Ms. Givens said she will keep that in mind.

Commissioner Underwood said the employees can call the Commissioners anytime if they want to know what they go through.

Commissioner Davis said this is a great way to expand the future, the company and the employees' resume for where they will be years from now. Kudos to the organization.

Chairman Gruber thanked everyone for attending today's meeting and said he appreciates the hard work staff does.

P ADJOURNMENT

David Conner, County Attorney, recommended the Commission enter into an executive session to discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees, to discuss

with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action, to discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property, and to discuss preliminary negotiations involving matters of trade or commerce in which the governmental body is in competition with private individuals or entities or other governmental bodies in Alabama or in other states or foreign nations or to discuss matters or information of the character defined or described in the Alabama Trade Secrets Act. Provided, however, that prior to such discussions a person involved in the recruitment or retention effort or who has personal knowledge that the discussion will involve matter or information of the character defined or described in the Alabama Trade Secrets Act advises the governmental body in writing or by oral declaration entered into the minutes that the discussions would have a detrimental effect upon the competitive position of a party to the negotiations or upon the location, retention, expansion, or upgrading of a public employee or business entity in the area served by the governmental body if disclosed outside of an executive session, or would disclose information protected by the Alabama Trade Secrets Act.

Mr. Conner said Mr. Lee Lawson, President and CEO of Baldwin County Economic Development Alliance, is here to make that declaration.

Mr. Lawson appeared before the Commission and said he hereby makes the declaration that he has personal knowledge of a business or entity looking to locate in the area served by the Baldwin County Commission. If details or specific parts of that negotiation are disclosed outside of an executive session, it would have an adverse effect on the competitive position that Baldwin County and the site the company is looking at would have.

Mr. Conner asked how much time does Mr. Lawson feel the Commissioners will need for the executive session, in which Mr. Lawson replied approximately 25 minutes. Mr. Conner said it is anticipated the executive session will last approximately 25 minutes. He also makes the oral declaration that the discussions are appropriate for an executive session. Since there will be no action taken following the executive session, the Commission can adjourn the meeting from the executive session, if deemed necessary.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adjourn into an executive session at 10:05 a.m. for approximately 25 minutes to discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees, to discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action, to discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or

market value of real property, and to discuss preliminary negotiations involving matters of trade or commerce in which the governmental body is in competition with private individuals or entities or other governmental bodies in Alabama or in other states or foreign nations or to discuss matters or information of the character defined or described in the Alabama Trade Secrets Act. Provided, however, that prior to such discussions a person involved in the recruitment or retention effort or who has personal knowledge that the discussion will involve matter or information of the character defined or described in the Alabama Trade Secrets Act advises the governmental body in writing or by oral declaration entered into the minutes that the discussions would have a detrimental effect upon the competitive position of a party to the negotiations or upon the location, retention, expansion, or upgrading of a public employee or business entity in the area served by the governmental body if disclosed outside of an executive session, or would disclose information protected by the Alabama Trade Secrets Act.

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 Commission will adjourn into an executive session at 10:05 a.m. for approximately 25 minutes.

