

# Baldwin County Commission

**Baldwin County Commission Regular  
Meeting Minutes  
Tuesday, November 5, 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

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**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 Brad Hicks, County Attorney.

The Chairman called the meeting to order at 8:31 a.m. and introduced Reverend Richie Nobles, Pastor of Crossroads Church of God, Bay Minette, Alabama, who appeared before the Commission, provided information about his church, and led the Commission in prayer. After the Pledge of Allegiance led by Commissioner Charles F. Gruber, the Commission transacted the following business to-wit:

## **ADOPTION OF MINUTES**

August 29, 2019, Special Meeting (County Clerk/Treasurer Position and Special School Tax Elections)

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt the minutes of the August 29, 2019, Special Meeting (County Clerk/Treasurer Position and Special School Tax Elections).

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

October 15, 2019, Regular Meeting

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, to approve the minutes of the October 15, 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, noted for the record, a replacement attachment before the Commissioners in paper form for Agenda Item GL1 - Renewal of Solid Waste Collections Service Agreement between the Baldwin County Commission and Property Owners Association of Spanish Cove, Inc.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to approve the consent agenda including the replacement attachment for Item GL1.

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** Acknowledgement of Tax Abatement - Foley Industrial Development Board [20-0049](#)  
- Ascend Performance Materials

In observance with §40-9B-5(d), Code of Alabama (1975), take the following actions:

1) Acknowledge the receipt, on October 15, 2019, and by certified mail, of a Resolution, by the Foley Industrial Development Board, Foley, Alabama, granting a Tax Abatement to Ascend Performance Materials; and

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

**BA2** Amended Renewal of Granicus Proposal - Subscriptions for Agenda [20-0057](#)  
Management Software

Accept the Amended Granicus Proposal for the renewal of the annual Granicus fees and subscriptions for the County's agenda management software, effective October 31,

2019, for a period of three (3) years, ending October 30, 2022.

The amendment approves quarterly billing instead of annual billing up front for the entire annual amount. The quarterly invoices for the first year will be paid in the amount of \$10,500.00. There are no other changes to the contract terms, which were approved initially by the Commission on October 15, 2019.

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

[20-0106](#)

Related to the Baldwin County Commission District No. 4 Planning (Zoning) District Board of Adjustment (Greater South Baldwin County Area), take the following action:

1) Appoint Mr. Michael G. Swansburg as an Alternate Member to Mr. James Koeppen (Planning District 21 designee), to fill the vacant place seat formerly held by Mr. James Edward Sullivan, Jr., for a pro-rata reduced (3) year term, said term commencing November 5, 2019, and expiring on February 17, 2021.

**BA4** Baldwin County Courthouse Security Committee - Appointment of Commissioner James E. Ball as the Baldwin County Commission's Representative

[20-0119](#)

Appoint Commissioner James E. Ball as the Baldwin County Commission's representative to the Baldwin County Courthouse Security Committee, effective November 5, 2019, and for the duration of his term as a Commissioner, ending on November 8, 2022.

**BA5** East Central Baldwin County Water, Sewer and Fire Protection Authority - Board Appointment(s)

[20-0072](#)

As relates to the East Central Baldwin County Water, Sewer and Fire Protection Authority, take the following actions:

- 1) Accept the resignation of Mr. Wayne Kelpen (July 19, 2019) and thank him for his prior civic service as a member of the Board; and
- 2) Appoint Mr. Frank (Rick) Hale as a member of the Board to the place seat formerly held by Mr. Wayne Kelpen (Place Seat #5) for a pro-rata reduced six (6) year term, said term commencing on November 5, 2019, and expiring on March 1, 2025.

**BA6** Ono Island Water, Sewer and Fire Protection Authority - Board Appointment(s)

[20-0092](#)

Related to the Ono Island Water, Sewer and Fire Protection Authority, take the following

actions:

1) Accept the resignation of Mr. Bruce Donaldson (place seat #3), effective August 19, 2019, and thank him for his prior civic service.

2) Appoint George Robinson "Robin" Swift, III as a member, to fill the place seat (place seat #3) and unexpired term of Mr. Bruce Donaldson, for a pro-rata reduced six (6) year term, said term to commence November 5, 2019, and expire on March 1, 2023.

**BA7** Port City Pacers' Holiday Half Marathon 2019

[20-0096](#)

Approve the requested routes for the Port City Pacers' Holiday Half Marathon on December 7, 2019, beginning at Mullet Point Park in Point Clear, Alabama at 8:30 a.m. and ending at approximately 12:00 noon at the same location. Acknowledge that alcoholic beverages will be consumed on premises by Port City Pacers.

The Fairhope Police Department has agreed to assist with traffic control.

**BA8** Voting Administration - Changes to Various Baldwin County Voting Precincts

[20-0127](#)

Adopt Resolution #2020-016, which amends Resolution #2018-043, to provide for certain changes affecting voting, in conformance with applicable Alabama law, specifically to:

1) REALIGNMENT OF VOTING PRECINCT BOUNDARIES

Authorize the realignment of the boundaries of Baldwin County Voting Precinct No. 23 (Belforest) and Baldwin County Voting Precinct No. 49 (Fairhope East), said realignment taking into Baldwin County Voting Precinct No. 43 (Fairhope 3Circle) certain limited areas of Baldwin County Voting Precinct No. 23 and No. 49.

2) DIVISION OF EXISTING VOTING PRECINCTS TO CREATE AN ADDITIONAL, NEW VOTING PRECINCT AND DESIGNATION OF VOTING LOCATION FOR THE NEWLY CREATED VOTING PRECINCT

Authorize the division of Baldwin County Voting Precinct No. 49 (Fairhope East) and Voting Precinct No. 44 (Barnwell), said divisions combined creating a new Baldwin County Voting Precinct No. 50 (Fairhope South) and designating Mars Hill Church, located at 17176 South Greeno Road, Fairhope, Alabama, as the Voting Place for said new Voting Precinct No. 50.

[Current Precinct No. 49 will be split along County Road 44 and County Road 13 with the portion south of County Road 44 being designated as a new Precinct No. 50 and the portion east of County Road 13 being moved to Precinct 43, with the portions north of County Road 44 and west of County Road 13 remaining as Precinct No. 49. The

Fairhope Avenue Baptist Church will remain as the polling place for Precinct No. 49.

Current Precinct No. 44 will be split along County Road 24 with the north portion of the Precinct being designated as a new Precinct No. 50 and the south portion of the Precinct remaining as Precinct No. 44. The Barnwell Volunteer Fire Department will remain as the polling place for Precinct No. 44.]

### 3) RELOCATION OF VOTING PLACES

Relocate the voting place for Voting Precinct No. 2 (Tensaw) from the old Tensaw Volunteer Fire Department to the new Tensaw Volunteer Fire Department, located at 65123 Highway 59, Stockton, Alabama.

### 4) NOTIFICATION OF COMMISSION ACTION

Authorize the Chairman to execute correspondence informing the voting place(s) involved of the changes affecting voting in Baldwin County, Alabama, and informing the required State and local governmental agencies of the changes to Baldwin County, Alabama, voting precincts.

## **BB ANIMAL CONTROL**

### **BB1** Baldwin County Animal Shelter Standard Operating Procedures Manual

[20-0069](#)

Approve the updated Baldwin County Animal Shelter Standard Operating Procedures Manual.

## **BC ARCHIVES AND HISTORY**

### **BC1** Gulf Coast Resource Conservation & Development Grant for Historic Sites in North Baldwin County for Educational Outreach and Economic Development and Tourism

[20-0117](#)

Take the following actions:

- 1) Authorize the Commission to accept the Grant in the amount of \$5,000.00 from Gulf Coast Resource Conservation & Development to assist in the implementation of the Baldwin County Historic Driving Tour & Park Walking App; and
- 2) Authorize the Chairman to execute the Cooperative Agreement between Gulf Coast Resource Conservation & Development and the Baldwin County Commission and any other documents as related to this grant. This agreement shall become effective October 1, 2019, and may be revised upon mutual consent of both parties.

## **BD BRATS**

### **BD1** Authorization to Transfer One (1) Baldwin Regional Area Transit System

[20-0097](#)

(BRATS) Vehicle to University of Alabama at Huntsville

Take the following actions:

1) Approve Baldwin Regional Area Transit System (BRATS), through the Clerk/Treasurer, to transfer the following BRATS bus to the University of Alabama at Huntsville at the price of \$4,920.00:

Vehicle #19  
2012 Ford Glaval Entourage EXR9533C  
Seat Capacity - 28/8WC  
Condition - Good  
VIN #1FDGF5GY7CEC27341  
Mileage as of 08/2019 - 124,410  
Tag #23307  
Bill of Sale Date - 08/14/2012

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

**BE BUDGET/PURCHASING**

**BE1** Competitive Bid #WG17-31 - Provision of Soft Body Armor for the Baldwin County Sheriff's Department [20-0074](#)

Extend the Contract for Competitive Bid #WG17-31 - Provision of Soft Body Armor for the Baldwin County Sheriff's Department with Gulf States Distributors and Gall's LLC, for an additional twelve (12) months at the same prices and terms stated in the bid specifications as awarded on November 7, 2017. The extension will expire on November 7, 2020.

**BE2** Competitive Bid #WG18-44 - On-call Fiber Optic Installation and Repair Services for the Baldwin County Commission [20-0075](#)

Extend the Contract for Competitive Bid #WG18-44 - On-call Fiber Optic Installation and Repair Services with B & L Cable Construction, LLC, for an additional twelve (12) months at the same prices and terms stated in the bid specifications as awarded on November 20, 2018. The Contract extension will expire on November 20, 2020.

**BE3** Competitive Bid #WG20-03 - Purchase of Two (2) New Police Responder Vehicles for the Baldwin County Sheriff's Department [20-0076](#)

Take the following actions:

1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the purchase of two (2) new Police Responder Vehicles for the Baldwin County Sheriff's Department; and

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

**BE4** Competitive Bid #WG20-04 - Purchase of Six (6) New 2020 Ford Explorers or Equivalent Vehicles for the Baldwin County Commission

[20-0080](#)

Take the following actions:

1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the purchase of six (6) new 2020 Ford Explorers or Equivalent for the Baldwin County Commission; and

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

**BE5** Purchase and Installation of One (1) New 70 Ton HVAC Chiller at the Baldwin County Corrections Center Located in Bay Minette, Alabama

[20-0081](#)

Approve and authorize the Chairman to execute the agreement with Trane U.S. Inc. d/b/a Trane, in the amount \$90,757.00 for the purchase and installation of one (1) new 70 Ton HVAC Chiller at the Baldwin County Corrections Center located in Bay Minette, Alabama, off the U.S. Communities Joint Purchasing Contract. (Contract effective upon full execution for 90 days).

**BE6** Lease of One (1) Postage Machine for the Baldwin County Sheriff's Office Located in Robertsedale, Alabama

[20-0083](#)

Authorize the Chairman to execute the lease agreement with Neopost USA Inc. (Accurate Control of Fairhope) for the lease of one (1) postage machine off the State of Alabama bid for thirty-six (36) months effective upon full execution of agreement as follows:

Neopost Model IN360P5 - IN 360 Base w/5 lb. Integrated Weigh Platform, Moistener & Catch Tray  
Rate Protection  
Accounting Package  
Full Coverage Maintenance Contract  
\$257.52 per quarter - \$1,030.08 per year

**BE7** Rental of Two (2) New Copy Machines for Baldwin County Central Annex Commission Office Located in Robertsedale, Alabama and Foley Planning and Zoning Office Located in Foley, Alabama

[20-0085](#)

Approve and authorize the Chairman to execute the rental agreements with Sharp Electronics Corporation for the rental of two (2) new copy machines off the State of Alabama bid for thirty-six (36) months effective the date of execution as follows:

Location: Planning and Zoning Department - Foley, Alabama

Model: MX-6071

Price: \$229.29/month

Excess Charge/copy: \$0.0054 BW/\$0.0400 Color

Location: Central Annex Commission Office - Robertsdale, Alabama

Model: MX-6051

Price: \$191.93/month

Excess Charge/copy: \$0.0054 BW/\$0.0400 Color

## **BF BUILDING INSPECTION**

### **BF1 Baldwin County Coastal Area Program/ADEM Board of Adjustments and Appeals - Board Appointment(s)**

**20-0066**

To accomplish the provisions set forth in the Alabama Department of Environmental Management Coastal Area Program, Division 335-8 regulations, and Resolution #2015-011 of the Baldwin County Commission, take the following actions:

- 1) Re-appoint Mr. J. Martin Pitts, PE, as a regular member of the Baldwin County Coastal Area Program/ADEM Board of Adjustments and Appeals for a pro-rata reduced five (5) year term, such term commencing on November 5, 2019, and expiring on November 5, 2024; and
- 2) Re-appoint Mr. Mark Acreman, PE, as a regular member of the Baldwin County Coastal Area Program/ADEM Board of Adjustments and Appeals for a pro-rata reduced five (5) year term, such term commencing on November 5, 2019, and expiring on November 5, 2024; and
- 3) Re-appoint, Mr. Cliff Pitman, as a regular member of the Baldwin County Coastal Area Program/ADEM Board of Adjustments and Appeals for a pro-rata reduced five (5) year term, such term commencing on November 5, 2019, and expiring on November 5, 2024; and
- 4) Re-appoint Mr. Timothy Barnhill, as a regular member of the Baldwin County Coastal Area Program/ADEM Board of Adjustments and Appeals for a pro-rata reduced five (5) year term, such term commencing on November 5, 2019, and expiring on November 5, 2024; and
- 5) Re-appoint Mr. Richard Peterson, PE, as a regular member of the Baldwin County Coastal Area Program/ADEM Board of Adjustments and Appeals for a pro-rata reduced five (5) year term, such term commencing on November 5, 2019, and expiring on



November 5, 2024.

## **BJ ELECTED OFFICIALS**

### **BJ1 Personal Property Audit Services Agreement**

**20-0086**

Execute the renewal of a Personal Property Audit Services Agreement between Tax Management Associates, Incorporated and Baldwin County, Alabama, related to the provision of Business Personal Property Field Audits to verify the accuracy of personal property listings that are assigned by the County Revenue Commissioner and in accordance with the rules, regulations, and directions of the Alabama Department of Revenue.

This Agreement is effective beginning upon execution by the parties. The initial term of the Agreement begins upon execution for a period of thirty-six (36) months. Thereafter, the Agreement shall continue in effect on a month-to-month basis until terminated by either party.

Contractor shall not perform services for which total program billings exceed \$49,999.00 per annum unless otherwise agreed to in writing by the parties, executed and attached hereto and titled as an "addendum" to this Agreement.

## **BM FINANCE AND ACCOUNTING**

### **BM1 Resolution #2020-019 - Authorization for Chairman and Clerk/Treasurer to Sign Bank Documents for Fiscal Year 2020**

**20-0099**

Adopt Resolution #2020-019, authorizing Chairman Billie Jo Underwood and Clerk/Treasurer, Adria Cian Harrison, to sign all necessary bank documents such as the bank signature cards, bank resolutions, bank night depository agreements and any other necessary supporting documents that must be updated.

## **BN HIGHWAY**

### **BN1 Transfer of Styron Lane (From U.S. Highway 90 Approximately 0.25 Miles South) to the City of Robertsedale**

**20-0108**

Take the following actions:

- 1) Adopt Resolution #2020-018 authorizing and consenting to the transfer of ownership, maintenance and responsibility of Styron Lane (from U.S. Highway 90 approximately 0.25 miles south) from Baldwin County to the City of Robertsedale; and
- 2) Approve an agreement between Baldwin County and the City of Robertsedale for the transfer of Styron Lane (from U.S. Highway 90 approximately 0.25 miles south) from Baldwin County to the City of Robertsedale. (This agreement shall be effective upon full execution.)

Take the following actions:

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

Street Name - Kaietur Falls Avenue

Length - 245.02 ft.

Asphalt Width - 22

Street Name - Kinlock Falls Avenue

Length - 70.06 ft.

Asphalt Width - 22

2) Approve and authorize the Chairman to execute the revised Subdivision Roadway and Drainage Improvement Acceptance Agreement.

**BQ PERSONNEL**

**BQ1** Board of Registrars - Transfer of Employee into Office Manager Position

**20-0112**

Approve the voluntary demotion of Max Huffman from the part-time Detention Technician position (PID #PT42) grade H-02 (\$14.967 per hour) at the Juvenile Detention Center (105/52610), to fill the open full-time Office Manager position (PID #851) at a grade G-04 (\$14.314 per hour/\$29,773.12 annually) at the Board of Registrars (0001/51920), to be effective no sooner than November 11, 2019.

**BQ2** Budgeting and Purchasing Department - Promotion of Employee

**20-0036**

Approve the promotion of Loren Lucas from the Audit Compliance Officer position (PID #5290) grade EC-07 (\$49,092.16 annually) in the Sales, Use, and License Tax Department (51725) to fill the open Assistant Purchasing Director position (PID #5469) at a grade EC-08 (\$60,000.00 annually) in the Budgeting and Purchasing Department (51750) to be effective no sooner than November 11, 2019.

**BQ3** Highway Department (Traffic Operations) - Personnel Changes

**20-0055**

Take the following actions:

1) Approve the employment of Nicholas McCawley to fill the open Traffic Control Technician II position (PID #503) at a grade H-EL (\$14.246 per hour/\$29,631.68 annually); and

2) Approve the employment of Dylan Pearson to fill the open Traffic Control Technician

II position (PID #5384) at a grade H-EL (\$14.246 per hour/\$29,631.68 annually); and

3) Approve the employment of Karl Sarvold to fill the open Traffic Control Technician IV position (PID #5382) at a grade J-02 (\$18.040 per hour/\$37,523.20 annually); and

4) Approve the lateral transfer of Frank Collins from the Operator Technician IV position (PID #5286) grade J-09 (\$21.428 per hour/\$44,570.24 annually), in the Traffic Operations Department (53135) to fill the open Mechanic II position (PID #5445), with no change in pay, in the Parks Department (57200P).

These actions will be effective no sooner than November 12, 2019.

**BQ4** Juvenile Detention Center - Personnel Change

[20-0037](#)

Approve the transfer of Eric McDonald from the part-time Detention Technician position (PID #PT40), grade H-EL (\$14.246 per hour) to fill the full-time Detention Technician position (PID #5163) at a grade H-EL (\$14.246 per hour/\$29,631.68 annually) to be effective no sooner than November 11, 2019.

**BQ5** Sales, Use, and License Tax Department - Position Change

[20-0113](#)

Take the following actions:

1) Abolish the Audit Compliance Officer position (PID #5290) grade EC-07 (EC-07 range: \$44,476.00 - \$70,450.00 annually); and

2) Create a Revenue Compliance Officer position (PID #TBD) grade I (grade I range: \$32,508.32 - \$53,239.68 annually); and

3) Approve the updated organizational chart for the Sales, Use, and License Tax Department.

**BQ6** Solid Waste Department - Personnel Changes

[20-0111](#)

Take the following actions:

1) Approve the employment of William Diloreto to fill the Solid Waste Technician position (PID #5248) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually); and

2) Approve the promotion of Fred Dishaw from the Solid Waste Driver II position (PID #5394) grade I-11 (\$20.499 per hour/\$42,637.92 annually) to fill the open Solid Waste Driver III position (PID #5506) grade J-10 (\$21.956 per hour/\$45,668.48 annually); and

3) Approve the promotion of Brian Philyaw from the Solid Waste Driver II position (PID #5396) grade I-08 (\$19.045 per hour/\$39,613.60 annually) to fill the open Solid Waste

Driver III position (PID #5505) grade J-07 (\$20.404 per hour/\$42,440.32 annually); and

4) Approve the promotion of Phillip Stanford from the Solid Waste Driver II/Trainer position (PID #4067) grade I-12 (\$21.007 per hour/\$43,694.56 annually) to fill the open Solid Waste Driver III/Trainer position (PID #5504) grade J-11 (\$22.506 per hour/\$46,812.48 annually); and

5) Approve the promotion of Samson Williams from the Solid Waste Driver I position (PID #661) grade H-05 (\$16.104 per hour/\$33,496.32 annually) to fill the open Solid Waste Driver II position (PID #5397) grade I-04 (\$17.260 per hour/\$35,900.80 annually); and

6) Approve the promotion of Michael Creech from the Solid Waste Driver I position (PID #5145) grade H-08 (\$17.354 per hour/\$36,096.32 annually) to fill the open Solid Waste Driver II position (PID #4067) grade I-07 (\$18.584 per hour/\$38,654.72 annually); and

7) Approve the promotion of Joey Morris from the Landfill Equipment Operator III position (PID #378) grade I-19 (\$24.972 per hour/\$51,941.76 annually), at the Solid Waste Transfer Station (54325) to fill the open Landfill Equipment Operator IV position (PID #5501) grade J-18 (\$26.765 per hour/\$55,671.20 annually) at the Magnolia Landfill (54300).

## **BR PLANNING AND ZONING**

**BR1** Proposed Text Amendments to the Baldwin County Zoning Ordinance, Section 13.14 Mini-Warehouses, Section 13.15 Office-Warehouses and Section 13.16 Land Application of By-Product Materials

[20-0090](#)

Authorize staff to begin advertising and commence the zoning text amendment process for proposed Sections 13.14, 13.15 and 13.16.

## **C PRESENTATIONS**

## **D PUBLIC HEARINGS**

### **DA ADMINISTRATION**

**DA1** Case No. LV-19003 - Alcohol License Application for Ahoy RV Resort, LLC d/b/a Ahoy RV Resort

[20-0030](#)

Chairman Underwood opened the public hearing at 8:37 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Underwood closed the public hearing at 8:37 a.m.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to consider the 050 - Retail Beer (Off Premises Only) and the 070 - Retail Table Wine

(Off Premises Only) application(s) for Ahoy RV Resort, LLC d/b/a Ahoy RV Resort, located at 13000 Springsteen Lane, Foley, Alabama, 36535, and approve the issuance of said license(s) by the Alabama Beverage Control (ABC) Board.

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

**DN HIGHWAY**

**DN1** \*Case No. VAC-19-1 - Vacation of Portions of Right-of-Way in Gulf Highlands Subdivision

[20-0110](#)

Chairman Underwood opened the public hearing at 8:39 a.m. and asked if there is anyone present who wishes to speak.

Mr. Toby Eringman appeared before the Commission and said he is with Mediacom. As of now, Mediacom has no problem with the provision and the cable in the area. Mr. Eringman said Mediacom has no fiber there.

There being no further requests to address the Commission, Chairman Underwood closed the public hearing at 8:39 a.m.

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

1) Approve the request from the State of Alabama Department of Conservation and Natural Resources, State Parks Division, to vacate portions of unopened, unimproved Avenues A, B, C, D and E in Blocks 2, 3, and 4 and Highland Way in Gulf Highlands Subdivision; and

2) Authorize the Chairman to execute Resolution #2020-007, which adopts the same and approves the vacation, in accordance with Section 23-4-2 and Section 23-4-20 of the Code of 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

## **E COMMITTEE REPORTS**

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

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

**20-0078**

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, to pay bills totaling \$11,884,500.76 (eleven million, eight hundred eighty-four thousand, five hundred dollars and seventy-six cents) with the exception of Vendor #51, which is listed in the Baldwin County Accounts Payable Payments - November 5, 2019, for a revised total of \$11,883,872.22.

Of this amount, \$8,487,803.21 (eight million, four hundred eighty-seven thousand, eight hundred three dollars and twenty-one 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

Motion by Commissioner Joe Davis, III, seconded by Commissioner Charles F. Gruber, to pay Vendor #51 in the amount of \$628.54.

Vendor #51: Ball, James E. - \$628.54

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

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

**20-0079**

Wayne Dyess, County Administrator, informed the Commission that the Baldwin County Commission Interim Payments - November 5, 2019, made by the Clerk/Treasurer totaling \$9,894,386.17 (nine million, eight hundred ninety-four thousand, three hundred eighty-six dollars and seventeen cents) are a part of the record.

### **EB ROAD AND BRIDGE DIVISION**

**F ELECTED OFFICIAL REQUESTS**

**G OTHER STAFF RECOMMENDATIONS**

**GA ADMINISTRATION**

**GA1** Designation and Appointments of Commissioners to Various Boards

[20-0091](#)

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

1) Appoint Chairman Billie Jo Underwood to various Boards and for the term of office as Chairman of the Baldwin County Commission (November 5, 2019, to November 2, 2020), as follows:

Baldwin County Department of Archives and History Advisory Board  
Baldwin County Pretrial Release and Community Corrections Board  
Historic Blakeley Authority  
South Alabama Rural Planning Organization

2) Appoint Commissioner James E. Ball to a Board and for the term of office as Industrial and Civic Division Commissioner (November 5, 2019, to November 2, 2020), as follows:

Economic Development Authority Board

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

**GA2** Baldwin County Library Board - Board Appointment(s)

[20-0107](#)

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, related to the Baldwin County Library Board (Baldwin County Cooperative, Inc.), to take the following actions:

1) Appoint Mr. Chad Yarbrough as a member of the board to fill the place-seat formerly held by Mr. Walter Penry for a pro-rata reduced four (4) year term, said term to commence on November 5, 2019, and expire on October 1, 2021; and

2) Thank Mr. Walter Penry for his former civic service as a board member; and

3) Appoint Ms. Diane Sims as a member of the board to fill the place seat formerly held

by Mr. Benjamin Bailey for a pro rata-reduced four (4) year term, said term to commence on November 5, 2019, and expire on October 1, 2020; and

4) Thank Mr. Benjamin Bailey for his former civic service as a board member; and

5) Appoint Ms. Donna Bing as a member of the board to fill the place seat formerly held by Ms. Betty Suddeth for a pro-rata reduced four (4) year term, said term to commence on November 5, 2019, and expire on October 1, 2022; and

6) Thank Ms. Betty Suddeth for her former civic service as a board member.

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

#### **GE BUDGET/PURCHASING**

**GE1** Competitive Bid #WG19-58 - Interior Build-out of the Second Floor of the Baldwin County Satellite Courthouse Located in Fairhope, Alabama

[20-0098](#)

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

1) Approve and authorize the Chairman to execute Resolution #2020-021 which allows the Commission the ability to reimburse the general fund utilizing funds from the General Obligation Warrants, Series 2019 in the amount of \$1,500,000.00 for the Interior Build-out of the Second Floor of the Baldwin County Satellite Courthouse located in Fairhope, Alabama; and

2) Award Bid #WG19-58 bid to the lowest bidder, Stuart Construction LLC, for the Interior build-out of the second floor of the Baldwin County Satellite Courthouse located in Fairhope as follows and authorize the Chairman to execute all necessary documents.

Base Bid Amount: \$1,046,000.00

Add Alternate 1: \$61,200.00 (Install Privacy Glazing/Smart Glass)

Total Amount: \$1,107,200.00

Construction Time: 240 calendar days

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

**GE2** Quotes for the Prescribed Burn of 424.46 Acres of "Pine Savannah" within Baldwin County Mitigation Area in Gulf Shores, Alabama for the Baldwin County Commission

[20-0082](#)

Motion by Commissioner Joe Davis, III, seconded by Commissioner Charles F. Gruber, to award the quote to Wildlife Solutions, Inc., in the amount of \$26,740.98 for the prescribed burn of 424.46 acres of "Pine Savannah" within the Baldwin County Mitigation Area in Gulf Shores, Alabama, and authorize the Chairman to execute the Public Works Contract and Certificate of Compliance. (This Contract shall be effective the same date as full execution after the notice to proceed and shall terminate on March 16, 2020.)

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

## **GL ENVIRONMENTAL MANAGEMENT**

**GL1** \*Renewal of Solid Waste Collections Service Agreement between the Baldwin County Commission and Property Owners Association of Spanish Cove, Inc.

[20-0093](#)

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

1) Approve the Solid Waste Collections Service Agreement between the Baldwin County Commission and the Property Owners Association of Spanish Cove, Inc. This agreement shall become effective April 1, 2020. This Agreement shall be renewed automatically for succeeding terms of thirty-six (36) months each. Either party may terminate this Agreement, with or without cause or reason, by giving the other party ninety (90) days written notice, with such notice being effective upon and the ninety (90) day period running from the date of mailing such written notice. This agreement is consistent with Resolution #2017-020, adopted by the Baldwin County Commission on November 1, 2016. The approval of this agreement is being requested early to allow the Property Owners Association of Spanish Cove, Inc., time to approve the Agreement during their regularly scheduled board meeting date of November 21, 2019.

2) Approve the First Addendum to the Agreement which allows Baldwin County Solid Waste/Baldwin County Commission to provide one roll-off recycling container to the

Property Owners Association of Spanish Cove, Inc., for a trial period of one year at no charge.

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

**H COMMISSIONER REQUESTS**

**I ADDENDA**

**J ADMINISTRATIVE REPORT**

**K COUNTY ATTORNEY'S REPORT**

**L ANNOUNCEMENTS**

**M PUBLIC COMMENTS**

**N PRESS QUESTIONS**

**O COMMISSIONER COMMENTS**

Commissioner Ball said he received a card from Mr. Herbert Waters, thanking the Commissioners for providing the Baldwin Regional Area Transit System (BRATS) transportation for the AAA Gun Battalion's trip to the Gulf State Lodge and back to Pine Grove for a reunion. Commissioner Ball said he visited with Mr. Waters who is a good friend. Mr. Waters is one of the last people around to share war stories. With Veterans Day approaching, Commissioner Ball said he wants to thank Commissioner Gruber and all veterans for their service. Commissioner Ball said there are a lot of exciting things going on in the County. He would like to commend Felisha Anderson, Archives Director, and the Archives Department for their work regarding recent events held. Commissioner Ball thanked staff for what they do.

Commissioner Davis said he made a commitment six months ago to talk about the upcoming Census and how important it is for Baldwin County. It is very important that everyone look and see how important the Census numbers are for Baldwin County. Congressional seats, Federal dollars and some State dollars are determined by this. He wants everyone to do all they can to make sure every household is counted. Baldwin County is growing, but the State is not necessarily growing and the Census is compared to other states. Everyone needs to be counted and the County will take its position wherever it ends up. Commissioner Davis said he echoes Commissioner Ball's comments and thanks Commissioner Gruber for his service. Everyone owes veterans like Commissioner Gruber who sacrificed so much. Commissioner Davis said his dad was in the Battle of the Bulge. Commissioner Davis said if after watching the Band of Brothers, a person does not feel close to the generation before

them, then they should be doing something else because it touched everyone's hearts. There are young people today who are doing this now all over the world for everyone. Commissioner Davis asked everyone to have a safe, prosperous and appropriate Veterans Day.

Commissioner Gruber thanked everyone for their hard work during his chairmanship. He appreciates staff, the last meeting was a marathon and there were quite a few people present. Commissioner Gruber said he received a note from someone thanking him for allowing the citizens to express their concerns; they were grateful. He feels it is important to allow everyone to speak. Commissioner Gruber wished Chairman Underwood the best in her upcoming year of chairmanship.

Chairman Underwood thanked Commissioner Gruber for leading the charge as Chairman for the first year of their term. As a four-member Commission, the Chair rotates. Commissioner Ball, Commissioner Davis and Chairman Underwood are three newly elected Commissioners and Commissioner Gruber took the Chair for the first year. Chairman Underwood thanked everyone for their patience and said she is thankful this was a short, non-controversial meeting. She was a little nervous at the beginning of this meeting, but it is getting better. Staff has been awesome in preparing her in what to expect. Commissioner Gruber has mentioned before the amount of work that goes into a meeting. Chairman Underwood thanked everyone and said she appreciates the Communications/Information Systems Department for baring with her. She missed Mr. Waters' big event because she was coming back from out-of-town and that was the day of the storm event. She is glad it turned out successful. Chairman Underwood thanked the veterans and said people have no idea how great they have it in this country to exist as a free people.

## **P      ADJOURNMENT**

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adjourn the November 5, 2019, Baldwin County Commission Regular meeting at 8:56 a.m.

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	

Chairman Underwood said the November 5, 2019, Baldwin County Commission meeting is adjourned at 8:56 a.m.

