

PROCEEDINGS HELD BEFORE THE
BALDWIN COUNTY COMMISSION

(Work Session)

Tuesday, October 8, 2019

The following proceedings were held on this
the 8th day of October, 2019, at the Foley
Satellite Courthouse, Large Meeting Hall, 201
East Section Avenue, Foley, Alabama, before Susan
C. Andrews, Certified Court Reporter Number 287.

A P P E A R A N C E**COUNTY COMMISSIONERS PRESENT:**

Charles F. (Skip) Gruber, Chairman

Billie Jo Underwood

Joe Davis, III

James E. (Jeb) Ball

ALSO PRESENT:

Wayne Dyess, County Administrator,
Administration Department

Ron Cink, Director, Budget/Purchasing
Department

Anu Gary, Administration/Records Manager,
Administration Department

Vince Jackson, Planning Director, Planning
Department

Cian Harrison, Clerk/Treasurer, Finance and
Accounting Department

Donna Bryars, Accountant, Finance and
Accounting Department

Frank Lundy, Operations Manager, Highway
Department

Matthew Brown, Director, BRATS Department

Kelly Childress, Council on Aging Coordinator

Brian Peacock, Director, CIS Department

Jessie Peacock, Assistant EMA Director,
Emergency Management Agency

David Conner, County Attorney

A P P E A R A N C E (cont.)**ALSO PRESENT (cont.):**

Terri Graham, Director, Environmental

Management (Solid Waste) Department

Deidra Hanak, Assistant Director, Personnel

Department

Linda Lee, Planner, Planning and Zoning

Department

Ed Fox, Deputy Development and Environmental

Director

Danon Smith, Planning and Grants Coordinator,

EMA Department

Sherry-Lea Bloodworth Botoy, Public

Information Officer/Community Engagement

Manager

Huey "Hoss" Mack, Sheriff

Ernie Church

Bonnie Lowry

Chan West

Thelma Strong

Lynn Harrison

Thelma Kelly

Daniel Pricketon

Jeff Valentine

Michael Livingston

Linda McCullough

Veronica Smith

A P P E A R A N C E (cont.)**ALSO PRESENT (cont.):**

Blaine Crum

Lynda Crum

Royce Massey

Greg Strategier

Steve Moore

Andy Openshaw

Bill Lamar

Larry Chason

Jennifer Noojh

Lawrence Lenzi

Debbie Quinn

Mark Mathis

Kathy Powell

Kris Powell

Julie Barlow

Jesse Davis

Bob Isakson

Greg Miller

Joe Emmerson

Paul Stanton

Lesley Williams

Jon Wells

Jean Holk

Tanner Jones

Joey Kobitz

A P P E A R A N C E (cont.)**ALSO PRESENT (cont.):**

Daniel Wells

Susan Broadhead

VIA VIDEOCONFERENCE:

Wanda Gautney, Purchasing Director,
Budget/Purchasing Department

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P R O C E E D I N G S**WELCOME, INVOCATION AND PLEDGE OF ALLEGIANCE**

COMMISSION CHAIRMAN CHARLES F. (SKIP)

GRUBER: Good morning, everyone. Welcome to the
October the 8th, 2019, work session of the
Baldwin County Commission.

And at this time I've asked Commissioner
Underwood to us lead in the invocation followed
by Commissioner Ball will do the -- the Pledge.

COMMISSIONER BILLIE JO UNDERWOOD:

Please bow with me, please.

(Commissioner Billie Jo Underwood led in prayer.)

COMMISSIONER JAMES E. (JEB) BALL:

Please join me in the Pledge.

(The Pledge of Allegiance was recited.)

COMMISSION CHAIRMAN CHARLES F. (SKIP)

GRUBER: One other thing, if y'all come up to
speak, if you please give your name. Because our
reporter, she tried to get everybody's name, but
we've got to make sure that we have everybody's
name.

So, if y'all will, if you would speak, just
please state your name.

1 **A-1 - FISCAL YEAR 2019-2020 AGREEMENT FOR COMMUNITY**
2 **TRAFFIC SAFETY PROGRAM GRANT PARTICIPATION**

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: All right. Wayne.

5 MR. WAYNE DYESS: Mr. Chairman, the
6 first item on the agenda this morning is the
7 Fiscal Year 2019-2020 Agreement For Community
8 Traffic Safety Program grant application.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP)

10 GRUBER: Okay. Commissioners, do y'all have any
11 questions on Item A-1? This is for the Sheriff
12 for --

13 COMMISSIONER JAMES E. (JEB) BALL:
14 Consent.

15 COMMISSIONER BILLIE JO UNDERWOOD:
16 Consent.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP)
18 GRUBER: All right. Consent?

19 COMMISSIONER JOE DAVIS, III: Consent
20 for me, please, sir.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)
22 GRUBER: All right.

23
24 **B-1 - COMPETITIVE BID #WG18-39A - ANNUAL RENTAL OF**
25 **PORTABLE TOILETS FOR THE BALDWIN COUNTY COMMISSION**

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)

27 GRUBER: Next.

28 MR. WAYNE DYESS: Mr. Chairman, next we

1 have Budget and Purchasing, which will be Wanda
2 on the television.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: Good morning.

5 MS. WANDA GAUTNEY: Good morning.

6 COMMISSIONER JOE DAVIS, III: Good
7 morning.

8 MS. WANDA GAUTNEY: The first item I
9 have is Competitive Bid WG18-39A, the annual
10 rental of toilets. This is to extend the bid for
11 an additional twelve (12) months with A&M
12 Portables, Inc. at the same terms and conditions
13 that was awarded on November the 8th -- 20th of
14 2018.

15 COMMISSIONER JAMES E. (JEB) BALL:
16 Consent.

17 COMMISSIONER JOE DAVIS, III: Consent.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)
19 GRUBER: Consent?

20 COMMISSIONER BILLIE JO UNDERWOOD:
21 Consent.

22
23 **B-2 - COMPETITIVE BID #WG19-52 - PROVISION OF ONSITE**
24 **DOCUMENT SCANNING/DIGITAL IMAGE AND INDEXING CONVERSION**
25 **SERVICES FOR THE BALDWIN COUNTY JUDGE OF PROBATE**

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)

27 GRUBER: Next.

28 MS. WANDA GAUTNEY: The next item is

Competitive Bid WG-19-52, provisions of onsite document scanning/digital image and indexing conversion services for the Baldwin County Judge of Probate.

This is to award to the lowest bidder, Business Systems & Consultants, Inc. in the amount of point-forty-six cents (\$.46) per image.

COMMISSIONER JAMES E. (JEB) BALL:
Consent.

COMMISSIONER BILLIE JO UNDERWOOD:
Consent.

COMMISSION CHAIRMAN CHARLES F. (SKIP)
GRUBER: All right.

COMMISSIONER JOE DAVIS, III: Consent.

COMMISSION CHAIRMAN CHARLES F. (SKIP)
GRUBER: Consent.

**B-3 - COMPETITIVE BID #WG19-53 - PROVISION OF BITUMINOUS
MATERIALS FOR THE BALDWIN COUNTY COMMISSION**

COMMISSION CHAIRMAN CHARLES F. (SKIP)
GRUBER: Next.

MS. WANDA GAUTNEY: The next -- the next item is Competitive Bid WG19-53, provisions of bituminous materials.

This is to award the bid to the -- per the attached award listing for each category of heading to Mobile Asphalt Company, LLC; and Hosea Weaver & Sons, Inc.

1 COMMISSIONER JAMES E. (JEB) BALL: Okay.

2 COMMISSIONER BILLIE JO UNDERWOOD:

3 Consent.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: Okay. Consent?

6 COMMISSIONER JOE DAVIS, III: Consent.

7

8 **B-4 - COMPETITIVE BID #WG19-54 - PROVISION OF LABOR AND**
9 **EQUIPMENT FOR ASPHALT PLACEMENT FOR THE BALDWIN COUNTY**

10 **COMMISSION**

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Next.

13 MS. WANDA GAUTNEY: The next item is
14 Competitive Bid WG19-54, provisions of labor and
15 equipment for asphalt placement.

16 This is to award the bid for the provisions
17 as per the attached award listing to Ammons &
18 Black Construction, LLC, as the prime contractor
19 and Mobile Asphalt Company, LLC, as the secondary
20 contractor and authorize the Chairman to execute
21 the contract.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)

23 GRUBER: Consent?

24 COMMISSIONER BILLIE JO UNDERWOOD:

25 Consent.

26 COMMISSIONER JAMES E. (JEB) BALL:

27 Consent.

28 COMMISSIONER JOE DAVIS, III: Consent.

1 COMMISSION CHAIRMAN CHARLES F. (SKIP)

2 GRUBER: Consent. All right.

3

4 **B-5 - COMPETITIVE BID #WG19-55 - PROVISION OF BAG ICE**

5 **FOR THE BALDWIN COUNTY COMMISSION**

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: Next.

8 MS. WANDA GAUTNEY: The next item is
9 Competitive Bid WG19-55, provisions of bagged
10 ice. Authorize me to rebid. We did not receive
11 any bids the first go around.

12 COMMISSIONER JAMES E. (JEB) BALL:

13 Consent.

14 COMMISSIONER BILLIE JO UNDERWOOD:

15 Consent.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP)

17 GRUBER: Consent.

18

19 **B-6 - COMPETITIVE BID #WG19-56 - PROVISION OF CLOSED TOP**

20 **RECYCLING ROLL-OFF CONTAINERS FOR THE BALDWIN COUNTY**

21 **COMMISSION**

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)

23 GRUBER: Next.

24 MS. WANDA GAUTNEY: The next item is
25 Competitive Bid WG19-56, provisions of closed-top
26 recycling roll-off containers.

27 This is to award to the lowest bidder, Bakers
28 Waste, Inc -- Equipment, Inc, as per the listing

1 below.

2 Amount bid was seven thousand, seven hundred
3 and sixty-nine dollars (\$7,769) each in lots of
4 tens (10s) and twenties (20s).

5 COMMISSIONER JAMES E. (JEB) BALL:
6 Consent.

7 COMMISSIONER BILLIE JO UNDERWOOD:
8 Consent.

9 COMMISSIONER JOE DAVIS, III: Consent.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)
11 GRUBER: Consent. All right.

12
13 **B-7 - COMPETITIVE BID #WG19-57 - PROVISION OF ALTERNATE**
14 **DAILY COVER MATERIAL FOR THE BALDWIN COUNTY COMMISSION**

15 COMMISSION CHAIRMAN CHARLES F. (SKIP)
16 GRUBER: Next.

17 MS. WANDA GAUTNEY: The next item is
18 Competitive Bid WG19-57, provisions of alternate
19 daily cover material.

20 This is to award the bid to the lowest
21 bidder, LSC Environmental Products, LLC, in the
22 amount of fifteen dollars and fifty cents
23 (\$15.50) per fifty (50) pound bag.

24 COMMISSIONER JAMES E. (JEB) BALL:
25 Consent.

26 COMMISSIONER BILLIE JO UNDERWOOD:
27 Consent.

28 COMMISSIONER JOE DAVIS, III: Consent.

1 COMMISSION CHAIRMAN CHARLES F. (SKIP)

2 GRUBER: Consent.

3

4 **B-8 - COMPETITIVE BID #WG20-01 - PROVISION OF GUARDRAIL**
5 **INSTALLATION AND REPAIR ON COUNTY RIGHT-OF-WAYS FOR THE**
6 **BALDWIN COUNTY COMMISSION**

7 MS. WANDA GAUTNEY: The next item is
8 Competitive Bid WG20-01, provisions of guardrail
9 installation and repair on County right-of-ways.
10 This is an annual bid. This is just to place on
11 the agenda for approval.

12 COMMISSIONER JAMES E. (JEB) BALL:
13 Consent.

14 COMMISSIONER BILLIE JO UNDERWOOD:
15 Consent.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP)
17 GRUBER: Consent.

18

19 **B-9 - COMPETITIVE BID #WG20-02 - PROVISION OF CHARTER**
20 **TRANSPORTATION SERVICES FOR THE BALDWIN COUNTY**
21 **COMMISSION**

22 MS. WANDA GAUTNEY: This next item is
23 Competitive Bid WG20-02, provisions of charter
24 transportation services.

25 This is a bid that BRATS has requested. I
26 think the Commission discussed this on
27 October the 1st. They're selling that big bus
28 and wanted us to place this bid.

1 COMMISSIONER JAMES E. (JEB) BALL:

2 Consent.

3 COMMISSIONER JOE DAVIS, III: Consent.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: Consent. All right.

6

7 **B-10 - ARCHITECTURAL SERVICES FOR THE CONSTRUCTION OF A**
8 **NEW BALDWIN COUNTY ANIMAL SHELTER INTAKE BUILDING**
9 **LOCATED IN SUMMERDALE, ALABAMA FOR THE BALDWIN COUNTY**
10 **COMMISSION**

11 MS. WANDA GAUTNEY: The next item is
12 architectural services for the construction of
13 the new Baldwin County Animal Shelter intake
14 building located in Summerdale.

15 This is to approve the AIA contract for the
16 architectural services with Allred Stolarski
17 Architects for the construction of the new
18 Baldwin County animal intake building in the
19 amount of six percent (6%) of the construction
20 cost plus the normal reimbursable expenses and
21 authorize the Chairman to execute the contract.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)

23 GRUBER: Consent?

24 COMMISSIONER JAMES E. (JEB) BALL:

25 Consent.

26 COMMISSIONER BILLIE JO UNDERWOOD:

27 Consent.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP)

1 GRUBER: Consent.

2
3 **B-11 - CONTRACT FOR EXPANDING ARCGIS ONLINE PLATFORM AND**
4 **GIS DATABASE SUPPORT SERVICES FOR THE BALDWIN COUNTY**
5 **COMMISSION**

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: Next.

8 MS. WANDA GAUTNEY: The next item is a
9 contract for expanding the ArcGIS online platform
10 and the GIS database support services.

11 This is to approve the contract with Keet
12 Consulting Services, LLC, for thirty-six (36)
13 months and authorize the Chairman to execute the
14 agreement.

15 The annual cost is -- Year 1 is twenty-four
16 thousand, four hundred dollars (\$24,400). Year
17 Two is twenty-three thousand, four hundred
18 (\$23,400). And Year Three -- Two and Three --
19 I'm sorry is twenty-three thousand, four hundred
20 dollars (\$23,400).

21 COMMISSIONER JAMES E. (JEB) BALL:
22 Consent.

23 COMMISSIONER JOE DAVIS, III: Consent.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP)

25 GRUBER: Consent.

26
27 **B-12 - RENTAL OF ONE (1) COPY MACHINE FOR THE BALDWIN**
28 **COUNTY JUDGE OF PROBATE ELECTIONS DIVISION LOCATED IN**

BAY MINETTE, ALABAMA

MS. WANDA GAUTNEY: The next item is the rental of one (1) copy machine for the Baldwin County Judge of Probate Elections Division.

This is to authorize the Chairman to execute the contract with Sharp Electronics Corporation in the amount one hundred and twenty-three dollars and fifty-five cents (\$123.55) per month.

COMMISSIONER JAMES E. (JEB) BALL:
Consent.

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER: Consent?

COMMISSIONER BILLIE JO UNDERWOOD:
Consent.

**B-13 - REQUEST FOR PROPOSALS (RFP) FOR DEVELOPING A
BALDWIN COUNTY SOLID WASTE GAS-TO-ENERGY PROJECT LOCATED
AT THE MAGNOLIA SANITARY LANDFILL**

MS. WANDA GAUTNEY: The next item is a request for proposals for developing a Baldwin County Solid Waste gas -- gas-to-energy project located at the Magnolia Sanitary Landfill.

This is to authorize staff to begin negotiations with AEP Renewable Fuels, LLC, so that a final recommendation for award can be brought back to the Commission.

COMMISSIONER JAMES E. (JEB) BALL:
Consent.

1 COMMISSION CHAIRMAN CHARLES F. (SKIP)

2 GRUBER: I think we have some folks that was
3 going to talk about this. If y'all, you know --

4 COMMISSIONER JAMES E. (JEB) BALL: Okay.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)

6 GRUBER: Yeah.

7 COMMISSIONER JOE DAVIS, III: Sure.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP)

9 GRUBER: Terri?

10 MS. TERRI GRAHAM: I have Daniel Wells
11 here. He's with CDG Engineering. And they were
12 the engineer on -- that did the RFP for us.

13 And so we had three -- three vendors come
14 back and submit a response. And so he was going
15 to tell y'all about the three -- three choices
16 and what the -- what the project would -- would
17 look like.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)

19 GRUBER: Okay.

20 MR. DANIEL WELLS: Do you want me to --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)

22 GRUBER: Yeah.

23 MR. DANIEL WELLS: -- come to the
24 podium?

25 MS. TERRI GRAHAM: Yes.

26 MR. DANIEL WELLS: Yes?

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: Yeah.

1 MR. DANIEL WELLS: All right. Again,
2 Daniel Wells with CDG. We -- on August 19th, on
3 behalf of the Baldwin County Commission, we
4 received four responses from three companies.

5 AP Renewable Fuels submitted a developer
6 option, which is a developer-owned landfill
7 gas-to-energy project where they would -- Baldwin
8 County would supply the raw bio gas, and they
9 would refine, produce, and inject into the
10 natural gas pipeline for use as a renewable
11 natural gas vehicle.

12 So based on the proposal and a revenue model
13 as well as the anticipated cost to the
14 Commission, our recommendation is that you
15 proceed with AP Renewable Fuels.

16 The other vendors, ESG, submitted a similar
17 proposal. However, it was a County-owned model,
18 which required ongoing personnel training,
19 facility O&M, and a substantial capital outlay
20 for the County.

21 They -- ESG also submitted a C&G fuel option
22 where the County would own and operate the
23 treatment systems and look at purchasing a
24 compressed natural gas vehicle fuel; again, a
25 very capital intensive option for the County.

26 And Texas Tech Cornerstone submitted a
27 similar compressed natural gas fuelling system
28 option.

1 So given those options as well as some
2 uncertainty in the renewable fuels market, our
3 recommendation is that you proceed with AP
4 Renewable Fuels, which is a developer-owned
5 option.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: Okay. Commissioner, y'all have any
8 questions on that? And I know that this is one
9 of the things that'll be -- it'll be distributed
10 locally to the natural gas lines that's here, if
11 I'm not mistaken, last I was reading of the
12 stuff.

13 So, I mean, it's -- it's a good -- it's a
14 good move for us to get rid of some of our
15 methane and stuff that is out at the --

16 COMMISSIONER BILLIE JO UNDERWOOD: Thank
17 you.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)

19 GRUBER: You know, and it helps with renewing the
20 energy. Okay. Y'all have any more questions?

21 (No response.)

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)

23 GRUBER: If not, all right. Y'all want that on
24 Consent?

25 COMMISSIONER BILLIE JO UNDERWOOD: Yes.

26 COMMISSIONER JAMES E. (JEB) BALL: Yes,
27 sir.

28 COMMISSIONER JOE DAVIS, III: Yes.

1 COMMISSION CHAIRMAN CHARLES F. (SKIP)

2 GRUBER: All right. Consent it'll be then.

3

4 **B-14 - REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT**
5 **OF A BALDWIN COUNTY STRATEGIC PLAN FOR THE BALDWIN**
6 **COUNTY COMMISSION**

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: All right. Next.

9 MS. WANDA GAUTNEY: The next item is a
10 request for proposals for the development of a
11 Baldwin County strategic plan.

12 This is to authorize Staff to begin
13 negotiations with Management Results, LLC, so a
14 final recommendation for award can be brought
15 back to the Commission.

16 The Commission authorized Staff to -- to
17 advertise the RFP on May the 21st. We received
18 six packets. We had a meeting and reviewed the
19 packets. And two were selected to come in and
20 give presentations. And, from the two
21 presentations, the committee selected Management
22 Results, LLC --

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: Okay.

25 MS. WANDA GAUTNEY: -- to do -- to
26 negotiate with.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: All right. Commissioners, do y'all have

1 any questions on this one?

2 (No response.)

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: Okay. Consent?

5 COMMISSIONER BILLIE JO UNDERWOOD:

6 Consent.

7 COMMISSIONER JAMES E. (JEB) BALL:

8 Consent.

9 MS. WANDA GAUTNEY: And that's all I
10 have. Thank you.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: All right.

13

14 **B-15 - ALABAMA DEPARTMENT OF REVENUE RECIPROCAL**
15 **AGREEMENT - REMOVAL AND ADDITION OF INDIVIDUALS**

16 MR. RON CINK: I've got the next one,
17 Commissioner.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)

19 GRUBER: Huh?

20 MR. RON CINK: I've got the next one.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)

22 GRUBER: Okay. All right.

23 MR. RON CINK: The next one,
24 Commissioners, is Alabama Department of Revenue
25 reciprocal agreement.

26 This is the agreement between the County
27 Commission and the Alabama Department of Revenue
28 dealing with individuals that are allowed to see

1 sales tax information.

2 This is a bit of housekeeping. I do
3 apologize to -- to Wayne. There was -- I
4 inadvertently left him off. He's -- he's
5 critical in one of the policies that are
6 associated with sales tax payments. So he will
7 be added to that.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP)

9 GRUBER: Okay. All right. Any questions?

10 (No response.)

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Consent?

13 COMMISSIONER BILLIE JO UNDERWOOD:

14 Consent.

15 COMMISSIONER JOE DAVIS, III: Consent.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP)

17 GRUBER: All right.

18

19 **D-1 - RESOLUTION #2020-012 - AUTHORIZATION FOR CHAIRMAN**
20 **AND CLERK/TREASURER TO SIGN BANK DOCUMENTS**

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)

22 GRUBER: Next.

23 MS. DONNA BRYARS: I have -- Item D-1
24 today is to adopt Resolution 2020-012,
25 authorization for the Chairman and the
26 Clerk/Treasurer to sign banking documents.

27 And this is the change to take place
28 October the 15th with Cian Harrison taking over

1 as Clerk/Treasurer. And we'll actually have
2 another agenda on November the 6th when the
3 Chairman changes over as well.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: Okay.

6 COMMISSIONER JAMES E. (JEB) BALL:

7 Consent.

8 COMMISSIONER BILLIE JO UNDERWOOD:

9 Consent.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: Okay. Consent.

12
13 **E-1 - BALDWIN COUNTY SOLID WASTE UNCOLLECTIBLE**

14 **RESIDENTIAL ACCOUNTS**

15 MR. WAYNE DYESS: Mr. Chairman, the next
16 item is E-1. This is the Baldwin County Solid
17 Waste uncollectible residential accounts. And I
18 believe Terri Graham is here to discuss this.

19 MS. TERRI GRAHAM: Yes. Good morning.
20 The uncollectible residential accounts for
21 October 2019 is two hundred and thirty-four
22 dollars (\$234).

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: Okay. Commissioners, y'all have any
25 questions on this?

26 COMMISSIONER JAMES E. (JEB) BALL:

27 Huh-uh. (Indicates negatively.)

28 COMMISSIONER JOE DAVIS, III: Are these

1 repeat offenders, so to speak?

2 MS. TERRI GRAHAM: These -- these should
3 not be repeat offenders.

4 COMMISSIONER JOE DAVIS, III: Okay.

5 MS. TERRI GRAHAM: These should be --

6 COMMISSIONER JAMES E. (JEB) BALL: Those
7 are pretty good numbers; right?

8 COMMISSIONER JOE DAVIS, III: Oh, yeah.

9 MS. TERRI GRAHAM: Yeah. So one of them
10 is deceased.

11 COMMISSIONER JAMES E. (JEB) BALL:
12 Right.

13 COMMISSIONER JOE DAVIS, III: Okay.

14 MS. TERRI GRAHAM: And you'll -- you'll
15 see that a lot.

16 MR. RON CINK: Yeah.

17 MS. TERRI GRAHAM: And then one of them
18 is out of the area and out of state, unable to
19 locate and out of state.

20 COMMISSIONER JOE DAVIS, III: Okay.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)
22 GRUBER: Okay.

23 COMMISSIONER JAMES E. (JEB) BALL: That
24 looks like one of the lowest ever.

25 MS. TERRI GRAHAM: I know.

26 COMMISSIONER JOE DAVIS, III: Uh-huh.
27 (Indicates affirmatively.)

28 COMMISSIONER JAMES E. (JEB) BALL: Good.

1 COMMISSIONER BILLIE JO UNDERWOOD: Good.

2 Good, Terri.

3 COMMISSIONER JOE DAVIS, III: Thank you.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: Okay.

6

7 **G-1 - CASE NO. Z-19025 - RETIREMENT SYSTEMS OF ALABAMA**

8 **PROPERTY REZONING**

9 MR. WAYNE DYESS: Mr. Chairman, next is
10 Planning and Zoning. We have several cases.
11 I'll have Vince to come up. But, also,
12 Mr. Chairman, if anyone wants to speak, we'd ask
13 that they come to the podium so everyone can hear
14 them when they speak.

15 MR. VINCE JACKSON: Thank you. Good
16 morning. We have do several cases today. The
17 first is Z-19025, Retirement Systems of Alabama.

18 This is a request to re-zone
19 one-point-two-seven (1.27) acres from TR, Tourist
20 Resort District, to HDR, High Density
21 Residential, and to allow the development of
22 condominium units.

23 The subject property is located on the west
24 side of Scenic Highway 98 at the north end of
25 Grand Hotel Marina in Planning District 26.

26 This has been a controversial case. It was
27 recommended for denial by both Staff and the
28 Planning Commission.

1 The applicant has now requested that this
2 case be withdrawn. And I sent you-all the e-mail
3 from the applicant the other day. It was
4 submitted in plenty of time for the withdrawal to
5 be automatic.

6 But because we've already advertised the
7 public hearing, we still need to go through the
8 process of opening the public hearing next week.

9 What I would like to do, if -- if you-all are
10 agreeable, is just submit the Staff report and
11 the letter requesting to withdraw rather than the
12 whole group of attachments.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)

14 GRUBER: Yeah. Sounds good.

15 COMMISSIONER JAMES E. (JEB) BALL: All
16 right.

17 COMMISSIONER JOE DAVIS, III: Vince,
18 question. Should the party decide to pursue this
19 again, do they have to go back and start at
20 Ground Zero, or is there some intermediate --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)

22 GRUBER: Uh-huh. (Indicates affirmatively.)

23 COMMISSIONER JOE DAVIS, III: -- step.

24 MR. VINCE JACKSON: If they decide to
25 pursue it again, it'll be a completely new
26 application.

27 COMMISSIONER JOE DAVIS, III: Okay.

28 MR. VINCE JACKSON: They'll start over.

1 COMMISSIONER JOE DAVIS, III: Thanks.

2 COMMISSIONER JAMES E. (JEB) BALL: Well,
3 Vince, there -- there are things that they can
4 pursue without even --

5 MR. VINCE JACKSON: Yes.

6 COMMISSIONER JAMES E. (JEB) BALL: --
7 having to go --

8 MR. VINCE JACKSON: Yes. There are --

9 COMMISSIONER JAMES E. (JEB) BALL: Yeah.

10 MR. VINCE JACKSON: -- things that are
11 allowed by right. And they have provided us with
12 a proposed site plan with some possible hotel
13 units. But it's not clear at this time if they
14 want to pursue that or not.

15 COMMISSIONER JOE DAVIS, III: All right.
16 Thanks.

17 MR. VINCE JACKSON: Thank you.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)
19 GRUBER: Okay.

20 ATTORNEY DAVID CONNER: Mr. --
21 Mr. Chairman, just -- And y'all may be doing this
22 already, Vince. Is there a way we can contact
23 some of the leaders of that group to let them
24 know that the public --

25 MR. VINCE JACKSON: I've already done
26 that.

27 ATTORNEY DAVID CONNER: All right. That
28 way we don't fill up with a room of people --

1 COMMISSION CHAIRMAN CHARLES F. (SKIP)

2 GRUBER: Yeah.

3 ATTORNEY DAVID CONNER: -- wanting to
4 talk. Thank you.

5

6 **G-2 - CASE NO. Z-19037 - WELLS PROPERTY REZONING**

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: All right. Next.

9 MR. WAYNE DYESS: Mr. Chairman, next we
10 have Case Number Z-19037, the Wells property
11 re-zoning. Ms. Lee is here.

12 MS. LINDA LEE: Good morning,
13 Commissioners.

14 COMMISSIONER JOE DAVIS, III: Good
15 morning.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP)

17 GRUBER: Good morning.

18 MS. LINDA LEE: The applicant is
19 requesting to re-zone one-point-zero-one (1.01)
20 acres from RSF-1 to RSF-3 to allow for the
21 property to be divided into three (3) lots.

22 The subject property is located at 20828
23 County Road 12 South in Planning District 30.
24 This is your locator map showing the subject
25 property and the zoning designation on the
26 surrounding properties. And this is the aerial
27 photography.

28 Planning District 30 was zoned in February of

1 1995. Since that time, land uses has gone from
2 mostly rural agricultural to include several
3 residential subdivisions.

4 Meadow Run Estates was platted in 1996.
5 Willow Lakes was platted in 2003 and 2005.
6 Cottages on the Green, Phase I, was platted in
7 2005.

8 The proposed lots, which would range in size
9 from thirteen thousand, one hundred and
10 seventy-five (13,175) square feet to fifteen
11 thousand, three hundred and forty-five (15,345)
12 square feet, which is somewhat similar to the
13 three (3) lots that are southeast of -- of this
14 lot.

15 The proposed lots would meet the minimum lot
16 area and minimum lot width of the RSF-3 zoning
17 designation.

18 The property is in the City of Foley planning
19 jurisdiction. Any proposed subdivision would
20 have to meet County and City requirements. The
21 City of Foley Planning Commission would hold
22 public hearings for the proposed subdivision.

23 The master plan provides a future land use
24 designation as residential. The requested zoning
25 designation concurs with the master plan.

26 One person spoke in opposition to this
27 re-zoning at the Planning Commission meeting.
28 The Baldwin County Planning Commission considered

1 this request at its September 5th meeting and
2 voted to recommend approval to the County
3 Commission. Staff concurs with that
4 recommendation. I'll answer any questions you
5 may have of me.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: All right. Commissioners, any
8 questions?

9 (No response.)

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: All right. And that'll be a public
12 hearing on that one.

13
14 **G-3 - CASE NO. Z-19038 - BANKESTER FAMILY PROPERTY**

15 **REZONING**

16 COMMISSION CHAIRMAN CHARLES F. (SKIP)

17 GRUBER: All right. Next.

18 MR. WAYNE DYESS: Mr. Chairman, next --
19 next we have Case Number Z-19038, Bankester
20 family property re-zoning.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)

22 GRUBER: All right.

23 MS. LINDA LEE: All right. The next
24 case is requesting to re-zone
25 two-point-seven-two (2.72) acres from RSF-E to RR
26 to allow for the construction of a retail store.

27 A special exception approval would be
28 required if the re-zoning is granted and they

1 move forward with development.

2 The subject property is currently vacant,
3 adjoins State Highway 225 to the east and River
4 Road to the south.

5 The adjoining properties are residential and
6 forest timberland. The property to the north is
7 zoned RA, which is a rural zoning designation.
8 There are three (3) properties to the southwest
9 that are zoned RR, Rural District.

10 The zoning for Planning District 4 was
11 approved by the County Commission in February of
12 1995. Since there -- that time, there has been
13 new and expanded subdivisions in the area.

14 In 2017, property less than a mile to the
15 north was re-zoned from RSF-1 to RR. In this
16 area, most of the zoning is residential.

17 A future land use destination of residential
18 has been provided for the subject property.
19 Approval of the re-zoning will result in an
20 amendment of the Future Land Use Map to
21 agricultural.

22 The RR, Rural District, was originally
23 created for Planning District 4 to accommodate
24 the rural areas of Baldwin County.

25 Per the applicant, ALDOT is requiring a left
26 turn lane on State Highway 225. And they would
27 be widening and repaving a portion of River Road
28 per the Highway Department requirements.

1 According to the Baldwin County Zoning
2 Ordinance, a twenty-five (25) foot landscape
3 buffer will be required along the portions of the
4 property which abut residential zoning
5 designations if the property is re-zoned and the
6 applicant is granted a special exception for the
7 proposed use.

8 Several people spoke in opposition to this
9 re-zoning at the Planning Commission meeting.
10 The proposed tenant does have stores
11 two-point-six (2.6) miles to the north and
12 five-point-six (5.6) miles south of this
13 property.

14 The Baldwin County Planning Commission
15 considered this request at its September 5th
16 meeting and voted to recommend denial to the
17 County Commission. Staff's recommendation is to
18 approve the re-zoning request. I'll answer any
19 questions you may have for me.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)

21 GRUBER: Okay.

22 COMMISSIONER JAMES E. (JEB) BALL: Is
23 this a Dollar --

24 MR. WAYNE DYESS: Mr. Chairman, I think
25 we have several people who want to speak as well
26 this morning.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: Yeah.

1 COMMISSIONER BILLIE JO UNDERWOOD: I --

2 COMMISSIONER JAMES E. (JEB) BALL: Can I
3 ask a question? Is this a Dollar General?

4 MS. LINDA LEE: Well, it's -- the
5 Broadway Group is the applicant. And usually
6 they build Dollar General stores.

7 COMMISSIONER JAMES E. (JEB) BALL: Okay.

8 COMMISSIONER BILLIE JO UNDERWOOD: I --
9 I have a question. Back to the map that shows
10 the -- the colors, that right there, what is
11 the -- all of the -- is it RSF-E, the diagonal
12 lines? Is that what all that is?

13 MS. LINDA LEE: That is the light --
14 light green little lines in it? Yes, ma'am.

15 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
16 I guess I have a question as to if there's no
17 other commercial along here, was it because
18 there's an RR close by? I mean, why would --
19 What was your real reasoning for recommending
20 your -- making your recommendation?

21 MS. LINDA LEE: Well, RR is for the
22 rural district. There are RR just to the south
23 of it. And RA is a rural destination. So it's a
24 rural zoning designation.

25 So I -- Staff felt that RR was appropriate in
26 the area. Staff feels that whether or not a
27 retail store goes there would be a special
28 exception approval at the Board of Adjustment

1 level as to were the store would go.

2 Most people, I think, wouldn't necessarily be
3 against the RR, if it was just to build a house
4 and have some horses and outbuildings. I think
5 it's a matter of what is proposed to go there.

6 COMMISSIONER BILLIE JO UNDERWOOD: I got
7 you. Okay. Thank you.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP)
9 GRUBER: All right. Is -- was there anybody who
10 wanted to speak on this?

11 MR. WAYNE DYESS: Yes, sir. I think we
12 have some people that wanted to speak this
13 morning on this particular issue.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)
15 GRUBER: Okay.

16 MR. WAYNE DYESS: And if y'all would,
17 come to -- to the podium, too, please.

18 MS LYNN HARRISON: We brought packets of
19 petitions that have been signed in our area for
20 the Commissioners. And one is extra for the
21 record, so someone could take it and --

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)
23 GRUBER: Okay.

24 MS. LYNN HARRISON: -- hopefully get it
25 into the record. It's a copy of our PowerPoint
26 and then signed petitions.

27 *****

28 [*ATTACHMENT 1 - DOCUMENTS IN OPPOSITION TO REZONING CASE*](#)

Z-19038, BANKESTER PROPERTY

MS. LYNN HARRISON: And I have a
PowerPoint. It's on this computer right here.
Gentlemen, you don't need to set it up. Yeah.
If we could start it. Veronica.

MS. VERONICA SMITH: Good morning. My
name is Veronica Smith, and I live on Aiken
Court, which is about a hundred and twenty (120)
miles south of --

MS. LYNN HARRISON: Feet.

MS. VERONICA SMITH: I mean feet, a
hundred and twenty (120) yards.

COMMISSIONER JAMES E. (JEB) BALL:
Close.

MS. VERONICA SMITH: Real close. I
can -- I see it from my front porch to where this
proposed project is -- is proposed to be.

And I'm here with a small group of people,
but we are here representing a very large group
of people who are in opposition.

We have the signatures of two hundred and
eighty-two (282) people on a petition that's only
been circulating just a few days where we oppose
this very staunchly.

And we're going to stick to topics here and
each discuss a different element of why we're
opposed to it. So my topics are the safety of

1 it.

2 I did notice in -- in the slideshow that was
3 presented there with the pictures that those
4 pictures that were in the slideshow before ours
5 just show open sort of roadways when, in fact,
6 this particular intersection is in a valley
7 between two -- just about a hundred (100) yards
8 apiece -- hills.

9 And the hills to the south is a blind hill
10 with a curve, which is where Aiken Court comes
11 into Highway 225. And it's already pretty
12 treacherous trying to turn out and turn south
13 going on 225 back towards Spanish Fort.

14 And I noticed that the Highway Department did
15 put in a turn lane into Bromley Road, a
16 northbound turn lane into Bromley Road because of
17 the safety issue there already, you know, a year
18 or so ago.

19 And so building this project there where
20 traffic would be coming out of River Road, which
21 there's not very much traffic on River Road right
22 now. But that would conceivably create another
23 avenue or stream of traffic into 225 in a heavier
24 manner than is there now. And it's under that
25 blind hill.

26 And, actually, a school bus stops on the top
27 of that hill and lets children on and off in the
28 morning and the afternoon. And so for those

1 reasons and many other reasons, we are very
2 staunchly opposed to it.

3 Even if there is a turn lane installed
4 northbound into River Road or wherever the
5 entrance is going to be for this project, then
6 southbound on 225, if there's not a turn lane in
7 there, then traffic, when it comes to a turning
8 in speed, slowing up, then they're going to be on
9 the downside of that hill and people doing what's
10 supposed to be the fifty-five (55) mile an hour
11 speed limit. And there's a lot of times it's
12 sixty-five (65) and seventy (70).

13 And even though I spoke with DOT yesterday --
14 or not yesterday -- Friday, I guess it was --
15 but, anyway, and they said that -- that there's
16 going to be some sort of shoulder work on the
17 road coming southbound there to turn in. It's
18 just extremely dangerous there already.

19 And so it's like I said. I'm -- I'm here
20 with a small group, but we represent a very large
21 group who are very opposed to it. It's all
22 residential, and we want to keep it that way.

23 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

24 THELIA KELLY: My name is Thelia Kelly,
25 and I live in the Bromley Woods subdivision,
26 which is just a little piece down the road from
27 where she lives.

28 And I'm going to talk about the fact that it

1 does not -- the re-zoning does not fit in with
2 the existing development pattern for the area.

3 And I apologize for my low-tech map that I
4 prepared. But -- and I know you can't see. But
5 we have a copy of this in your packets.

6 But this is the subject property right here.
7 The solid pink represents individual homes in the
8 area. The hash line pink represents a
9 subdivision, plus there's another one off over
10 here and another one down here. And they're
11 building a new one up the road, about a quarter
12 of a mile up the road up there.

13 This is Blakeley State Park land here, the
14 green. And you can see how close the boundary of
15 the state park is to this lot right here.

16 This property is owned by the State of
17 Alabama Land Trust. This, of course, just down
18 the road a short piece is the Alabama State
19 Veterans Cemetery, the East Pointe Baptist, the
20 historic Saluda Ridge Cemetery that's been there
21 since the early 19th Century.

22 So that's where -- This -- this property is
23 located in the midst of all that. Oh, and this
24 is St. John's Catholic Church. Just -- There's
25 one lot between this property and the St. John's
26 Catholic Church. And this property in between is
27 actually owned by the -- the Catholic Archdiocese
28 of Mobile.

1 And then another point I wanted to make is
2 that in 2012, this byway, the 225/59 byway or
3 corridor was designated or it met the eligibility
4 requirements to join the Alabama Scenic Byway
5 Program.

6 Now, it's kind of been put on hold, because
7 of funding problems, I understand. But it's a
8 big deal. It will -- it will join like the
9 Lookout Mountain Parkway, that Appalachian
10 Highland Scenic Parkway. And I'm not going to go
11 into all that.

12 But this -- this strip of land from down in
13 Spanish Fort, the Spanish Fort Elementary School
14 all the way up to the five-mile marker has no
15 buildings whatsoever. All you have are the
16 entrances to the subdivisions.

17 And then on up to Crossroads, which is seven
18 (7) miles further on up the road, there are just
19 a few. There's a new storage facility, Mr. --
20 this store that's been there since -- for
21 decades, and just a couple of private
22 family-owned businesses.

23 But basically that stretch is commercial
24 free. So I would hate to see Dollar General go
25 right smack dab in the middle of that stretch of
26 highway there. Thank you.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: Okay. Next.

1 MR. JOEY KOBITZ: Yes. Thank you,
2 Commission, for letting me speak. I own the
3 Outdoorsman and Feed. We're two (2) miles north
4 of where they're going to build this Dollar
5 General store.

6 In 2018, in September, they built a Dollar
7 General store three (3) miles to my north. In
8 September's assessment, we started seeing
9 something. In October, we seen more. In
10 November, I went to my bookkeeper. I said,
11 what's going on? Your sales have dropped, Joey.

12 We're sitting there reaping the benefits of
13 having a Dollar General a hundred (100) yards
14 from Crossroads. And they slipped it in.

15 Now we are down to me and my wife -- We're
16 both 63 years old -- and one helper in that
17 store. The Dollar General took the profits that
18 was equal to our payroll away from us.

19 They're three (3) miles to our north. Now
20 they're going to be two (2) miles to our south.
21 I want y'all to think about it.

22 And I've got a son going to Auburn
23 University. I want to see him graduate. By
24 y'all letting them put a Dollar General store two
25 (2) miles to our south, you'll be signing a death
26 warrant on the Outdoorsman and Feed.

27 We sell plot seed. We sell fertilizer. We
28 sell horse feed, chicken feed, dog feed.

1 When we opened that store in August of 2011,
2 me and my wife were standing there with pads.
3 Customers walked in. Write down on that pad what
4 you want us to sell. That's what we sell in this
5 store.

6 Y'all, I'm -- I'm just begging you. You're
7 going to choose between letting a retail
8 establishment open up two (2) miles to our south
9 that'll be a death warrant for this store.

10 This is the last mom-and-pop store on 225.
11 It's a scenic route. People are going to ride
12 down that scenic route just counting how many
13 Dollar Stores we can see.

14 When my customers come in -- And I have many
15 of them -- they'll bring their friends in. I
16 wanted to show my friend what a true country
17 store is like.

18 And so I'm begging you. Please rule against
19 this. Please. Thank you.

20 MS. LYNN HARRISON: Thank you,
21 Mr. Kobitz. My name Lynn Harrison. I'm a
22 resident of this area also. And this is kind of
23 the reality of what new retail on 225 looks like.

24 Because the area is historical. It's
25 residential. And the new storage facility that's
26 just right here, it's a little metal building,
27 took down this huge oak plus many others. But
28 there's no reason for it, really.

1 There are retail established areas to the
2 north and to the south of this piece of land that
3 they're talking about re-zoning. And up here is
4 a -- a -- The picture is a little blurry -- but a
5 picture of the Dollar General up at Crossroads.
6 And you can see the sea of concrete that
7 surrounded us. We don't want such a visual
8 blight in our area.

9 And, as was mentioned, we have the Veterans
10 Cemetery. We have the State Park. In my
11 backyard, I've found relics from Civil War
12 battles that are all through that area.

13 If we put a high-impact retail store there,
14 you're going to completely wipe away any
15 historical record of that area.

16 Now, in a low-impact residential area, you
17 can still have context and real archaeology that
18 can be looked into. But the minute we start
19 paving over our heritage is the minute we're
20 going to lose, you know, an area that's
21 important, not only to Baldwin County locally,
22 but historically to the nation as Blakeley State
23 Park was one of the final battles of the Civil
24 War. And this whole area is -- is filled with
25 artifacts like this.

26 So, to close, Mr. Kobitz's store collected
27 180 signatures that are in the packets we left
28 here. And then on top of that, we had

1 neighborhoods submit information, comments, that
2 are also in your packets.

3 And we had an online neighborhood app submit
4 a signed petition, so -- so a total of two
5 hundred sixty-two (262) at this point. And
6 that's been over the last couple of weeks that
7 we've had those out.

8 So there is a groundswell of locals who are
9 opposed to this. And, with that, I will rest.
10 Okay.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Okay.

13 COMMISSIONER BILLIE JO UNDERWOOD: Thank
14 you.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP)

16 GRUBER: Thank you. All right. Anyone else?

17 MS. ALYSSA CARTER: My name is Alyssa
18 Carter, and I'm with the Broadway Group, the
19 applicant. I represent the property owners. And
20 they have eleven (11) heirs who could not attend
21 the meeting today but will be in attendance next
22 week.

23 We are considering this re-zone to RR in the
24 hopes to build a commercial retail store. Like
25 Lynn has said, we've been working with ALDOT and
26 the Highway Department.

27 Our access will come off River Road, so we
28 will have to get permits through the Highway

1 Department. And they have requested that we redo
2 and repave River Road and widen it.

3 And so that will go into the ALDOT
4 right-of-way. And we've been working with
5 Michael Smith with ALDOT. And they have told us
6 that right now they want us to repave the
7 striped, hashed area into a left turn lane into
8 the site.

9 We do want to save as many trees that are --
10 are on the property right now. We do know that's
11 a big factor. And so with our store, we're going
12 to just take away what we need. And we will be
13 providing additional trees and plantings with our
14 development.

15 We will be willing to upgrade our building to
16 a different facade of any sort that the Planning
17 Commission or you-all might recommend. We can do
18 brick. We can do hardy board. So we really do
19 want to try to fit in with the neighborhood and
20 fit in with everyone.

21 You know, we're just here to be a convenience
22 to the neighbors. I know that there's some that
23 don't want it, but there are also some that do
24 want it. The sellers are getting some neighbors
25 around there who are in favor of it to be at the
26 meeting next week. So --

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: Okay.

1 MS. ALYSSA CARTER: -- do y'all have any
2 questions for me?

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: Any questions?

5 (No response.)

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: All right.

8 COMMISSIONER JOE DAVIS, III:

9 Mr. Chairman, if I could.

10 The site in this particular retail, how much
11 room do you have to do additional businesses or
12 sites or is it --

13 MS. ALYSSA CARTER: It will just be one
14 building. It will just be one building.

15 COMMISSIONER JOE DAVIS, III: Okay.

16 COMMISSIONER BILLIE JO UNDERWOOD: I
17 have a question.

18 MS. ALYSSA CARTER: Okay.

19 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
20 This is an application to re-zone to RR.

21 MS. ALYSSA CARTER: Yes.

22 COMMISSIONER BILLIE JO UNDERWOOD: And
23 in order for you to get what you want, you have
24 to have a special exception --

25 MS. ALYSSA CARTER: Yes.

26 COMMISSIONER BILLIE JO UNDERWOOD: --
27 which would have to be granted by --

28 MS. ALYSSA CARTER: The Board of

1 Adjustment.

2 COMMISSIONER BILLIE JO UNDERWOOD: -- a
3 Board of Adjustments. So I just think that this
4 might be kind of a little sneaky way of trying to
5 get that in there. But that's just what I'm
6 hearing.

7 But, you know, with this all being
8 residential along here -- And, you know, a lot of
9 times with RR, it's -- it's not, in my opinion,
10 to zone it RR to try to get a special exception.

11 MS. ALYSSA CARTER: Uh-huh. (Indicates
12 affirmatively.)

13 COMMISSIONER BILLIE JO UNDERWOOD: It's
14 because if you've got something there, and you
15 want to do something, you know, it's RR, and you
16 want to go ahead and do something that's there.

17 So I -- so I think it's a -- You know, the
18 route that's been taken here is -- is a little
19 deceiving to the area. And I think that that's
20 why you've aroused so much -- so much opposition
21 to this. So that's -- that's all I have to say.

22 MS. ALYSSA CARTER: Well, I will say
23 when we sought out this property, we did go to
24 the Planning Department. And that's what they
25 told us to do. So --

26 COMMISSIONER JAMES E. (JEB) BALL:
27 What --

28 MS. ALYSSA CARTER: -- we went by their

1 recommendations.

2 COMMISSIONER JAMES E. (JEB) BALL:

3 What's the -- what's the benefit of having the
4 same store located within three (3) miles of each
5 other?

6 MS. ALYSSA CARTER: The retail chain,
7 they have -- they picked out this location. They
8 tell us where they want to go based on the
9 popularity around there, you know, the houses
10 that are being built, the subdivisions. They
11 tell us where they want to go, and we just find
12 the properties.

13 COMMISSIONER JAMES E. (JEB) BALL: How
14 many -- how many people do you think is going to
15 come to the meeting that's going to be for this
16 store?

17 MS. ALYSSA CARTER: I'm not sure right
18 now.

19 COMMISSIONER JAMES E. (JEB) BALL:
20 Other -- other than the applicant, does --

21 COMMISSIONER BILLIE JO UNDERWOOD: At
22 the Planning Commission meeting, how many people
23 were there for this?

24 MS. ALYSSA CARTER: We had all eleven
25 (11) heirs at the meeting who --

26 COMMISSIONER BILLIE JO UNDERWOOD:
27 People selling the property.

28 MS. ALYSSA CARTER: Yes.

1 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

2 COMMISSIONER JAMES E. (JEB) BALL: Yeah.

3 MS. ALYSSA CARTER: Yeah.

4 COMMISSIONER JAMES E. (JEB) BALL:

5 I'm -- I'm talking about people like these guys,
6 just people living in houses, did anybody show up
7 for the Dollar General store, not heirs to the
8 property?

9 MS. ALYSSA CARTER: Not at the Planning
10 Commission, no.

11 COMMISSIONER JAMES E. (JEB) BALL:
12 Linda, was there a reason that the Planning
13 Commission recommended denial?

14 MS. LINDA LEE: Well, I can tell you
15 that the -- the Chairman of BOA 1 that would hear
16 the special exception case and another BOA member
17 made the motion and seconded the motion. And the
18 vote was six (6) to two (2). But I don't think
19 they gave an actual reason.

20 COMMISSIONER JAMES E. (JEB) BALL: Okay.

21 MS. LINDA LEE: As to the Planning
22 Department recommending they go this route, what
23 we told them was that there was no way they'd get
24 a B-3 in that area.

25 COMMISSIONER JAMES E. (JEB) BALL:
26 Right.

27 MS. LINDA LEE: So the option they had
28 would be to request the RR and then go for a

1 special exception.

2 I do know -- I heard from another member of
3 that board -- And that board only consists of
4 four (4) members -- that is against this. So I
5 have told Ms. Carter her chances of getting the
6 special exception for the store are slim.

7 However, as far as the appropriateness for
8 that zoning designation, you know, there is RSF-E
9 and RR does exist in that area. So that is why
10 we recommended approval of the zoning
11 designation.

12 As to whether or not we recommend approval of
13 the special exception, that remains to be seen.
14 But we didn't have a problem with the zoning
15 designation.

16 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
17 I -- I understand why you would -- would
18 recommend an RR. I just don't --

19 MS. LINDA LEE: I --

20 COMMISSIONER BILLIE JO UNDERWOOD: --
21 necessarily go with the thought train of going to
22 RR to go to a special exception. And so I think
23 that that's maybe why I made the comment I made
24 earlier. I didn't mean it personally.

25 MS. LINDA LEE: Oh, I understand that.

26 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

27 MS. LINDA LEE: And -- and I was just
28 saying we have to give people their options, a

1 route to take to accomplish their goals.

2 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

3 MS. LINDA LEE: You know, you can't tell
4 them they can't ask for it. So --

5 COMMISSIONER JAMES E. (JEB) BALL:
6 Thanks, Linda.

7 COMMISSIONER BILLIE JO UNDERWOOD: Thank
8 you, Linda.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP)
10 GRUBER: Okay. All right. Well, this will be
11 a -- it'll be a public hearing on this one also.
12

13 **G-4 - CASE TA-19002 AND CASE TA-19003 - AMENDMENTS TO**
14 **THE BALDWIN COUNTY ZONING ORDINANCE, ARTICLE 4,**
15 **RESIDENTIAL DISTRICTS, AND ARTICLE 22, DEFINITIONS**

16 COMMISSION CHAIRMAN CHARLES F. (SKIP)
17 GRUBER: All right. Next.

18 MR. WAYNE DYESS: Mr. Chairman, next we
19 have two text amendments. Vince.

20 MR. VINCE JACKSON: We do have two text
21 amendments. First, there are two that are
22 actually handled on the same staff report,
23 because they are related to each other, Case
24 Number TA-19002 and Case Number TA-19003.

25 This would be an amendment to RSF-4 of the
26 Zoning Ordinance as it pertains to the maximum
27 number of habitable stories for residential
28 structures and also to Article 22, the definition

1 section pertaining to the definition for half
2 story.

3 What I want to make real clear on this
4 particular -- these two particular amendments is
5 that these do not apply to Planning District 25.
6 The language of Planning District 25 is handled
7 under our next case, which is TA-19001.

8 For many years prior to 2009, we had a -- we
9 met and we looked at height for our residential
10 structures in two ways. We had a maximum height
11 in terms of feet and we also had a maximum height
12 in terms of habitable stories.

13 In July of 2009, there was a zoning text
14 amendment where we removed the -- the limitation
15 on the number of habitable stories and left it
16 strictly as a maximum height in terms of feet.

17 I think part of the reason for that was that
18 we had some difficulties with the half story
19 definition. Previously, the limit would have
20 been a maximum of two and a half habitable
21 stories with single-family and duplex structures.

22 Then, in all honesty, Wayne nor I, neither
23 one, really remember why we recommended taking
24 that out. But we did, and it was approved.

25 So fast forward ten (10) years later, we feel
26 like that probably was not an appropriate action.
27 And so we're recommending restoring the maximum
28 height of stories for residential structures.

1 And I've also proposed a more simplified
2 definition for half story, which we will replace
3 under the current definition.

4 This was recommended for approval by the
5 Planning Commission at their September 5th
6 meeting. And staff concurs with their
7 recommendation. And I'll be happy to answer any
8 questions on this one. Again, what's proposed
9 under this amendment does not apply to Planning
10 District 25.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)
12 GRUBER: All right. Is there anyone, you know,
13 willing to speak on this?

14 MR. WAYNE DYESS: Mr. Chairman, we have
15 two items. This is the first one that applies
16 throughout the whole zoning ordinance. So is
17 there anybody here to speak on this particular
18 text amendment?

19 (No response.)

20 MR. WAYNE DYESS: I don't think so,
21 Mr. Chairman. I didn't see anybody.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)
23 GRUBER: All right. Okay. Then this will be a
24 public hearing.

25 MR. WAYNE DYESS: Yes, sir.

26 MR. VINCE JACKSON: Yes, sir.

27
28 **G-5 - CASE TA-19001 - AMENDMENTS TO THE BALDWIN COUNTY**

ZONING ORDINANCE, ARTICLE 2, SECTION 2.3.25.3, LOCAL
PROVISIONS FOR PLANNING DISTRICT 25

COMMISSION CHAIRMAN CHARLES F. (SKIP)

GRUBER: All right. Next.

MR. VINCE JACKSON: Okay. Our next text amendment, Case TA-19001, these will be amendments to the Baldwin County Zoning Ordinance, Article 2, local provisions for Planning District 25, Section 2.3.25.3.

There are several things that we are attempting to address through this series of amendments. And the -- As you know, in our zoning ordinance, we have local provisions that are applicable to the various zoned planning districts.

And some of those local provisions are unique. They recognize the unique characters -- characteristics of the individual planning districts. And Planning District 25 is certainly one of our more unique districts.

The first thing that we are proposing with the changes to the local provisions would be the removal of DHR, High Density Residential District zoning as an available zoning designation.

Next would be are the establishment of a two habitable story maximum height for single-family and two-family dwellings.

Next would be the establishment of dune

1 walkover requirements and standards. And,
2 finally, we would have the establishment of
3 planning and zoning considerations for the
4 coastal high hazard flood areas and the flood
5 hazard areas. And these considerations --
6 considerations would be for future re-zoning
7 requests.

8 We have -- I've actually been working on this
9 for about two years, a little over two years. It
10 started with the dune walkover provisions.

11 We, myself and other staff members, have been
12 attending a number of the meetings of the Fort
13 Morgan Zoning Advisory Committee. And through
14 those meetings, we have received feedback about
15 issues in Planning District 25 that the residents
16 feel need to be addressed.

17 And so that's what has brought about those
18 proposed text amendments. These are items that
19 we were asked to write, to draft, and propose in
20 order to address specific needs in that area.

21 There has been considerable support expressed
22 for these amendments. But, as you're also aware,
23 we have received some opposition as well.

24 I placed a -- a draft of the text amendment
25 at each of your seats, along with comments. I
26 can -- Those are based on some -- some things
27 that have just been suggested to us.

28 And so we have worked through the process at

1 the Planning Commission. And I can go through
2 some of those now, if you would like, or I can
3 address those after the public hearing, whichever
4 you prefer.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)

6 GRUBER: So y'all want to address it now, or do
7 y'all want to wait? Well, why don't we hear from
8 what we have -- what people have?

9 MR. WAYNE DYESS: Yeah.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: So that way we'll know, you know,
12 what's -- Okay.

13 MR. WAYNE DYESS: Yeah.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)

15 GRUBER: Okay. Okay. Is there anyone that was
16 wanting to speak on this?

17 MR. WAYNE DYESS: Yes, sir. I believe
18 we have several people who wanted to speak this
19 morning on this --

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)

21 GRUBER: Okay.

22 MR. WAYNE DYESS: -- particular
23 application. Who wants to go first?

24 MR. ERNIE CHURCH: I'll go.

25 MR. WAYNE DYESS: And, Mr. Chairman, if
26 we could ask them to line up two to three at a
27 time so --

28 COMMISSION CHAIRMAN CHARLES F. (SKIP)

1 GRUBER: Yes.

2 MR. WAYNE DYESS. -- we can --

3 MR. ERNIE CHURCH: Good morning,
4 Commissioners.

5 COMMISSIONER JOE DAVIS, III: Good
6 morning.

7 MR. ERNIE CHURCH: My name is Ernie
8 Church. I'm the president of the Fort Morgan
9 Fire Department Board of Directors.

10 We submitted a -- a letter in support of
11 the -- particularly the two-story habitable
12 limit. And I got some feedback that the -- maybe
13 what the department needs is to agree to the two
14 and a half story and buy an area ladder. That's
15 a simplistic answer.

16 Area ladders cost upwards of a million
17 dollars (\$1,000,000). The area ladder itself
18 could be deployed as outriggers on the apparatus.
19 The outriggers could go for anywhere from twelve
20 (12) to sixteen (16) feet. Particularly on the
21 beach roads, the roads aren't wide enough to
22 support that.

23 In addition, most of the power lines are all
24 aboveground and run parallel to the beach road in
25 between the road and the residences. We can't
26 deploy an area ladder over those power lines.

27 We are vitally interested in the safety and
28 security of our inhabitants. We recognize that

1 folks want to maximize the habitability of their
2 units. But we think it's improper to do that at
3 the expense of the safety of some of those
4 individuals.

5 We've encountered two-and-a-half and
6 three-story residences where the stairwells are
7 maybe three (3) feet wide circular stairwells.

8 It's very difficult to get in and out of
9 those buildings, particularly if you have a
10 medical alarm and you have to get somebody down
11 those stairways and down those circular
12 stairways. It's virtually impossible. It makes
13 our job very difficult. It makes the medical
14 responder's jobs very difficult.

15 We just think it's more practical to limit
16 the habitable story limitations in the interest
17 of the safety and security of the residents.
18 Thank you.

19 MR. JOE EMERSON: Good morning. My name
20 is Joe Emerson. I'm here today as the President
21 of the Fort Morgan Civic Association. I'm going
22 to read aloud a letter that was -- that was
23 drafted on September 12th addressing the
24 Commission:

25 *Honorable Members of the Baldwin County*
26 *Commission, on behalf of the four*
27 *hundred -- over four hundred resident*
28 *and landowner members of Planning*

1 *District 25, the Fort Morgan Civic*
2 *Association would like to formally*
3 *request your approval of Text Amendment*
4 *TA-19001.*

5 *These changes, if enforced, will*
6 *help to protect the environmental and*
7 *historic sensitivity of our home, the*
8 *Fort Morgan Peninsula, while also*
9 *supporting the public safety of us*
10 *residents and visitors alike. Thank*
11 *you.*

12 MR. PAUL STANTON: Hello. My name is --
13 my name is Paul Stanton and I'm a resident down
14 in Fort Morgan. And I've got a couple of posters
15 here I kind of wanted to show today.

16 These are direct quotes from Mr. Ernie's that
17 he sent the County. I don't know if you can see
18 all these. But it's a very serious issue that
19 we're talking about, especially as it relates to
20 Fort Morgan.

21 There's -- I just wanted to read a couple of
22 excerpts from Mr. Ernie's letter that he sent the
23 County.

24 *Fort Morgan Volunteer Fire Department*
25 *strongly encourages the establishment in*
26 *District 25 of a two-story limit on*
27 *residential construction and -- and a*
28 *suggested two and a half story proposal*

1 discussed at a recent joint Planning and
2 Zoning meeting.

3 Despite the proposed caveat to
4 limit -- limit habitability in the
5 additional half story, our experience is
6 that people who rent out their homes
7 will go through virtually any length to
8 maximize bedroom count and sleeping
9 numbers.

10 We have seen cots on top of cots in
11 hallways, bunk beds in rooms the size of
12 closets, and narrow stairs leading to
13 attics filled with similar bedding.

14 These are homes where reasonable
15 emergency access to attic areas and
16 third stories is virtually impossible.
17 Spiral staircases to upstairs areas
18 cause unnecessary limitations on
19 emergency responders who are there to
20 potentially save lives.

21 Not only is this a risk for these
22 renters coming that are from out of
23 state and don't realize the impending
24 danger that they might be facing,
25 it's -- it's -- it's also a risk for our
26 emergency responders that these poor
27 guys have to go into these places.

28 Standard two-story construction is

1 *more likely to adhere to traditional*
2 *stairway width, not the more narrow*
3 *stairways we encounter when third*
4 *stories are used as sleeping areas or*
5 *when attics are used for habitation.*

6 *A two-story limit may not solve all*
7 *the problems but will at least make*
8 *firefighting and medical rescue less*
9 *problematic.*

10 *We have a ladder capability of*
11 *second stories but not greater --*
12 *greater height. And parking along a*
13 *narrow roadway limits the ability for*
14 *first responders to reasonably access*
15 *homes that need our help.*

16 *Just like Mr. Ernie just testify to.*

17 *As homeowners maximize habitability,*
18 *there's a coincidental negative*
19 *influence on infrastructure, from sewer*
20 *to water to garbage collection as well*
21 *as on evacuations during hurricanes.*

22 *Road congestion become nightmarish.*
23 *Even Gulf Shores Mayor Craft has stated*
24 *his concerns about Fort Morgan traffic*
25 *merging onto Highway 59.*

26 *Nightmares could soon become reality*
27 *if -- if growth and density are not*
28 *better controlled. A two-story limit*

1 *would help considerably.*

2 *Since owners have to abide by U.S.*
3 *Fish and Wildlife limitations, we notice*
4 *the driveways are narrower and many of*
5 *the fire apparatuses can't -- can't*
6 *traverse. As a result, we have -- we*
7 *have to lay down lines on Highway 180*
8 *all the way up the driveway to fight the*
9 *fire directly and to lay to -- to a feed*
10 *hydrant to a smaller truck with similar*
11 *hoses to battle a blaze, certainly not*
12 *an ideal scenario.*

13 And then it goes on to speak about
14 evacuation. A lot of people don't realize that
15 Fort Morgan is almost like a Coke bottle.
16 There's one way in and one way out.

17 And then when you get out of Fort Morgan,
18 you're merging into Highway 59, which is
19 basically you've got everybody from Orange Beach
20 and Gulf Shores that are -- that are vying to try
21 to get out of there.

22 So there's evacuation concerns. There's
23 fire/safety. There's medical rescue concerns.
24 And I'm -- I just want to draw your attention to
25 one other thing.

26 There was a fire on Ono Island on
27 October 5th. I'm sure you saw it on the -- on
28 the news. I just want to read this to you. This

1 is -- And I say this for the -- for the sake of
2 our first responders.

3 *Orange Beach Fire Department responded*
4 *with all units -- all units -- along*
5 *with one unit from Gulf Shores Fire*
6 *Department, two from Escambia County*
7 *Fire crews, and one Battalion Chief.*

8 *****

9 *ATTACHMENT 2 - GULF COAST NEWS TODAY HANDOUT*

10 *****

11 MR. PAUL STANTON: I don't know if
12 y'all -- I've sent -- I -- I e-mailed this to all
13 the Commissioners. There's a -- there's a second
14 article that Channel 5 did.

15 There is literally nothing left of this place
16 or the house next door. Can you imagine if one
17 of these things goes up? They want to put two of
18 these side-by-side. That'll be eighty-eight (88)
19 people in there that'll die, forty-four (44)
20 per -- per building.

21 I'll just close by saying this last thing:
22 The -- I've got pictures in here to show you
23 what -- what happens with two-and-a-half story.
24 You know, there's -- there's houses in here that
25 don't match.

26 It's like that little game you used to play
27 with your kid. What doesn't fit here; this
28 little, bitty house and this gigantic house.

1 And then there's -- there's exploitation of
2 the zoning laws. Basically they're -- they're
3 creating a third story, even though there is a
4 two, -- two-and-a-half story limit. You're --
5 you're welcome to look at it.

6 All this was taken within a -- within a
7 one-mile area of me just walking around, less
8 than one mile down there.

9 And I'll just close by saying that I -- I
10 think -- I think this is a very reasonable
11 approach to solving a big problem down in Fort
12 Morgan, and that we would really appreciate
13 y'all's votes.

14 The residents and voters at Fort Morgan, who
15 some of them live in other areas of Baldwin
16 County, like I do -- I live down -- I have a
17 residence down there, but I also live in Baldwin
18 County. I think they're just fed up.

19 There's a lot of my neighbors that are moving
20 as a result of a lot of this. And, you know,
21 I -- I know that we would really just appreciate
22 any help you guys could give us. Thank you.

23 MR. GREG STRATEGIER: Good morning. My
24 name is Greg Strategier. I live at the corner of
25 Ponce de Leon -- the corner of Ponce de Leon and
26 Pontoon, so I'm on the beach. And I'm actually
27 one of Paul's neighbors.

28 And I'm -- I want to kind of talk to you a

1 little bit about this third floor, and then I
2 want to touch on the dune walkovers. And
3 that's -- to me, that's easier. I want to touch
4 on that first.

5 We need the dune walkover regulation because
6 right now there is none. And what's happening on
7 these newer homes, they're coming from the top
8 deck straight out to the beach.

9 So it's not really effective as a dune
10 walkover. I'm sure, like most of y'all, my
11 things are underneath the house. And I'm not
12 bringing them through my living room to walk to
13 the beach.

14 So what the dune regulation will do is the
15 dune walkovers start at the bottom floor,
16 traverse the dune, put them on the beach, and do
17 what it's supposed to do and not become something
18 to go take sunset pictures on or to walk down to
19 the beach and just look real quick.

20 So I'd appreciate the support on the dune
21 walkovers, to make them effective and -- and not
22 just an extension of someone's home.

23 On the third floor, I'm sure we all
24 understand this. The more sleeping space, the
25 more income. The more income, the more value of
26 the property. So if I'm a developer, an
27 investor, a builder or a real estate agent, I
28 need that income.

1 A quick example, where I live, there's two
2 developments. One is three floors. One is two.
3 They're run by the same company.

4 The third -- the one that has three floors
5 sleeps forty-four (44) people. It has eighteen
6 (18) beds, eight (8) bunks.

7 It has a potential, when you look at their
8 website -- Again, this is the same company
9 between the two. It has a potential of renting
10 for six hundred and fifty thousand dollars
11 (\$650,000) a year.

12 This particular one is for sale, so I know
13 their occupancy is at fifty percent (50%),
14 fifty-three percent (53%). So that unit made
15 three hundred and fifty thousand dollars
16 (\$350,000) because of the third floor.

17 If you look at the one down the street, it is
18 two floors. It sleeps twenty-four (24) people.
19 It has ten (10) beds, four (4) bunks, a potential
20 rental income of three hundred and fifty thousand
21 dollars (\$350,000). If you apply the same
22 occupancy, it's about a hundred and eighty-five
23 thousand (\$185,000).

24 So the -- the third floor does add sleeping.
25 It does add value. But it puts twice as many
26 people in the same spot.

27 So we're here fighting for density. That is
28 more density. Every week there's four -- up to

1 forty-four (44) people on seventy-five (75) feet
2 of sand.

3 So I -- I want to kind of close with one
4 thing on this. You remove that third floor, it
5 doesn't stop development. It doesn't stop
6 growth. It may lower the return that some people
7 make, but it doesn't stop it.

8 If you remove that third floor, it doesn't
9 reduce any taxes. You're still going to collect
10 the same amount of tax. And if you remove that
11 third floor, people can still come to Fort
12 Morgan, buy a lot, and build their home. It's
13 not going to stop anything.

14 And I appreciate your time. I hope you
15 support these amendments as most of the
16 residences do.

17 MS. BONNIE LOWRY: Good morning,
18 Commissioners. Most of you know me. I'm here
19 not only as a representative of Baldwin County
20 Planning and Zoning Commission, but the Fort
21 Morgan Planning and Zoning Advisory Committee, as
22 well as a voting resident of Fort Morgan. I live
23 there. I guess I'm going to die there. And they
24 can probably throw me out in the bay. That's
25 okay with me.

26 We're here for a specific reason. A lot of
27 research has been done on Fort Morgan, what it
28 can withstand and what it cannot withstand.

1 We know that we are a very narrow peninsula
2 that sticks out in the water. We have one way in
3 and one way out, as has been mentioned.

4 We have a legitimate but small fire
5 department. We have also a traffic community.
6 We have people who live there, people who visit.
7 And we love our visitors.

8 But I will say one thing upfront. We are
9 trying our best to preserve it so that those
10 visitors want to come back to see us. We're not
11 like Orange Beach. We're not like Gulf Shores.
12 We are a small, rural community. And that's
13 exactly the way we want to remain.

14 I'm asking that you pass all of these
15 resolutions, because we do not need the
16 high-density residential. We don't need the big
17 dune walkovers. We don't need the multi
18 three-story complexes.

19 And, believe me, the realtors and the
20 contractors know exactly what they're doing when
21 they say they're building a half story and
22 they're building that third story for bedrooms.

23 But I am here to ask for your protection of
24 Fort Morgan, because that's what we all want.
25 Thank you.

26 MR. MICHAEL LUDVIGSEN: Good morning.
27 My name is Michael Ludvigsen. I live on the
28 peninsula as well. I'm also a representative of

1 the Fort Morgan Civic Association.

2 I -- I know there's been some questions in
3 the -- recently about newcomers coming and
4 wanting control and whatnot. My name family has
5 been on the island since the 1830s. So we've
6 been around a little while.

7 But I want to present something that's not
8 always thought about. You know, we've talked
9 safety. We've talked about quality of life. But
10 the other aspect of this is, is this thing.
11 And -- and we know that the County realizes a
12 good bit of income from that area of the county.
13 And we know that after a period of time, we come
14 to rely on that income.

15 But I want to present something else that
16 this is going to help control, which is if this
17 continues the way it's going, nobody down there
18 will be able to build a one- or two-story house,
19 because the property value won't be there. The
20 income won't be there. And the only way that
21 they're going to be able to do it is if everybody
22 builds three-story homes, which is just going to
23 create more density and more cost for the County.

24 Well, why not focus on quality? Let's
25 control this area. Why don't we make it what we
26 really want it to be to make as much or more
27 money with a lower density?

28 And it can be done, if we control it now,

1 before it gets completely out of control. We
2 need to think about that, you know.

3 We can only handle so many people on that
4 road. We can only handle so much sewer, so much
5 garbage, so much water. You know, fire
6 protection is -- is a problem. You can ask Hoss.
7 It's a challenge for him right now. He's
8 shorthanded and the calls get more intense.

9 When you have a single-family residential
10 home that sleeps forty (40) people, nothing good
11 is going to come out of that. And it's not a
12 single-family residential home. It's a small
13 motel. Let's be honest.

14 You look there. It's not usually families.
15 You saw that one photograph. It's a bunch of
16 pickup trucks with guys all over the U.S. that
17 are down there doing things many times that
18 aren't legal; not always, but many times.

19 We've been into the homes, responded to
20 medical calls and fire calls. And we see what
21 goes on. It's just not a positive thing. It's
22 not what we want as residents. And I can assure
23 you, as leaders of this county, it's not what you
24 guys want to see, either.

25 So I appreciate your consideration. We
26 appreciate your support. Thank you.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: Anyone else?

1 MR. WAYNE DYESS: Anyone else want to
2 speak?

3 (No response.)

4 MR. WAYNE DYESS: Anyone else?

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)

6 GRUBER: Anyone else?

7 (No response.)

8 COMMISSION CHAIRMAN CHARLES F. (SKIP)

9 GRUBER: Okay.

10
11 **H-1 - DISCUSS CAPABILITY OF RECORDING COMMISSION WORK**
12 **SESSION MEETINGS AND OTHER PUBLIC MEETINGS FOR POST**
13 **MEETING VIEWING**

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)

15 GRUBER: Next.

16 MR. WAYNE DYESS: Mr. Chairman, next on
17 the agenda is Item H-1. And that's been removed.

18
19 **G-5 - CASE TA-19001 - AMENDMENTS TO THE BALDWIN COUNTY**
20 **ZONING ORDINANCE, ARTICLE 2, SECTION 2.3.25.3, LOCAL**
21 **PROVISIONS FOR PLANNING DISTRICT 25 (REVISITED)**

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)

23 GRUBER: Well, does the Commissioners -- Do y'all
24 have any --

25 MR. WAYNE DYESS: I'm sorry.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)

27 GRUBER: -- questions on this?

28 COMMISSIONER JOE DAVIS, III: Yes, sir.

1 Mr. Chairman, I've got a couple of things. I'll
2 use this as an example. If all of us were in a
3 fraternity or a sorority, and we came and got
4 both units, then traffic wouldn't really be a
5 problem.

6 You know, it'd be a problem, but it would be
7 inhouse or if the Sunday school class from one of
8 the big churches decided to come in -- These are
9 two separate units.

10 When it's not occupied by the same group,
11 imagine the chaos when you've got someone from
12 Louisiana on one side and someone from Oklahoma
13 on the other or someone from Heartsill on one
14 side and someone from Opelika on the other.

15 My big concern is if you see a
16 twelve-year-old child or a twenty-one-year-old
17 lady in that window right there screaming for
18 help, how do you get to them? Are there fire
19 escapes? Do you have water pressure to go there?

20 And so the quality of life is what it's all
21 about. Y'all know me. I talk about paradise.

22 AN AUDIENCE MEMBER: What do you do
23 about the ones that are already built?

24 COMMISSIONER JOE DAVIS, III: Well, that
25 becomes a good question.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)

27 GRUBER: Yeah.

28 COMMISSIONER JOE DAVIS, III: That

1 becomes a good question. Because if we can't get
2 water pressure to that top floor, and we don't
3 have the -- I can't imagine the ability to build
4 something like this with no fire escape.

5 I count that as the first floor. That's the
6 second floor. That's the third floor. And
7 that's the fourth floor. Because when you're
8 hanging out one of these windows, that's how many
9 feet you've got to go to get to the ground.

10 AN AUDIENCE MEMBER: That's right.

11 COMMISSIONER JOE DAVIS, III: And so I
12 have serious concerns about any structure that
13 does not have a fire escape, whether it's your
14 individual home -- If you don't have a sprinkler
15 system, if you don't have a safe way for people
16 to exit -- Because things are going to happen.

17 Even if the Sunday school class is there, or
18 even if the fraternity or sorority is there,
19 people are going to get in trouble. And we need
20 to make sure.

21 Because that is the first floor, as far as
22 I'm concerned. I jumped off a roof once to see
23 how it felt. And I realized that twelve (12)
24 feet, ten (10) feet is a pretty good -- pretty
25 good.

26 But that's my thought and concern, that we
27 need to make sure we address it, not just in this
28 district, but in all districts.

1 The profit system is what makes this country
2 great and what it is. But, at the same time,
3 safety and quality of life is what we should be
4 all about. And that's my comments.

5 (Applause.)

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: Okay.

8 COMMISSIONER JAMES E. (JEB) BALL: Was
9 that a question or a statement?

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: Yeah.

12 ATTORNEY DAVID CONNER: Well,
13 Commissioner Davis --

14 COMMISSIONER JOE DAVIS, III: I'm not
15 running for anything yet.

16 ATTORNEY DAVID CONNER: Commissioner
17 Davis does raise a good question. I just want to
18 make sure we're clear on that. How -- how are we
19 measuring where the -- the first habitable floor
20 starts? I'm assuming we're looking at BFE --

21 MR. VINCE JACKSON: Right.

22 COMMISSIONER JOE DAVIS, III: Yeah.

23 ATTORNEY DAVID CONNER: -- in the
24 coastal areas. And then do we -- in the other
25 areas, do we accommodate for basements and those
26 kind of things in areas we're they're slopped?
27 Have we -- have we addressed that?

28 MR. WAYNE DYESS: Yeah, I think so.

1 MR. VINCE JACKSON: Yeah.

2 MR. WAYNE DYESS: Vince, do you want to
3 address that question?

4 MR. VINCE JACKSON: And -- and
5 primarily, you know, in an area like this where
6 you see the houses elevated, the way we define
7 building height in an AE flood zone, for
8 instance, we start at the base flood elevation.
9 That's the point where we begin measuring.

10 MR. WAYNE DYESS: So Vince -- so I
11 believe the ordinance has kind of an exemption
12 for the height where you start at the base flood.
13 We don't want to penalize them for -- from the
14 elevation. But when you start measuring -- Am I
15 right, Vince?

16 MR. VINCE JACKSON: That's right.

17 MR. WAYNE DYESS: -- at the base flood,
18 this AE-6, we start measuring at AE-6 up. And --

19 MR. VINCE JACKSON: Yeah.

20 MR. WAYNE DYESS: -- from that point is
21 where you get your height.

22 ATTORNEY DAVID CONNER: And I knew that
23 in the coastal areas, but we're also changing
24 that in the other areas, too. So are we
25 measuring like in the non-coastal areas outside
26 of District 25?

27 MR. WAYNE DYESS: So you're saying like
28 at 225 where we --

1 ATTORNEY DAVID CONNER: Yeah.

2 MR. WAYNE DYESS: -- have basements?

3 ATTORNEY DAVID CONNER: Well, we've got
4 basements to -- to level out because of a slope.
5 So what -- where do -- how do we measure where
6 the habitable floor --

7 MR. VINCE JACKSON: You look at it.
8 It's an average elevation. But you measure it at
9 the front of the building.

10 ATTORNEY DAVID CONNER: At the front of
11 the building.

12 MR. VINCE JACKSON: Yes.

13 ATTORNEY DAVID CONNER: So your thirty
14 (30) foot height limitation runs from the front?

15 MR. VINCE JACKSON: Yes.

16 ATTORNEY DAVID CONNER: And then does
17 also the habitable floor start there, or do
18 you -- if someone encloses a basement, do you
19 count that as a habitable floor?

20 MR. VINCE JACKSON: I don't think we --
21 I think there's -- I believe there is something
22 in there about below ground --

23 ATTORNEY DAVID CONNER: Okay.

24 MR. VINCE JACKSON: -- of not counting
25 it as a habitable floor. And I'd have to go back
26 and look at it.

27 ATTORNEY DAVID CONNER: Let's --
28 let's -- let's check that out for me just make

1 sure we don't have a --

2 MR. VINCE JACKSON: Right.

3 ATTORNEY DAVID CONNER: -- gap there.

4 MR. WAYNE DYESS: But, in reality, I
5 mean, I can only think of a handful of places the
6 have --

7 MR. VINCE JACKSON: Right.

8 MR. WAYNE DYESS: -- basements.

9 MR. VINCE JACKSON: Yeah. Basements --

10 MR. WAYNE DYESS: The County doesn't
11 have issues.

12 MR. VINCE JACKSON: Right.

13 MR. WAYNE DYESS: It's really more north
14 of I-10.

15 ATTORNEY DAVID CONNER: Yeah.

16 MR. VINCE JACKSON: Basements are not
17 really an issue for us. But -- but there --
18 there are different ways that height is measured.
19 And then, you know, if you're in an AE zone,
20 also, if you're in a VE zone, and then there's
21 some other differences, depending on the type of
22 roof that you have.

23 ATTORNEY DAVID CONNER: Okay.

24 COMMISSIONER BILLIE JO UNDERWOOD:
25 Which --

26 MR. VINCE JACKSON: And that's been part
27 of our ordinance for many, many years.

28 ATTORNEY DAVID CONNER: Yeah. I

1 think -- I think most of that I thought it'd
2 be -- You're right -- is -- is around I-10 to the
3 south and mainly to the north.

4 MR. VINCE JACKSON: Right.

5 ATTORNEY DAVID CONNER: But we just need
6 to make sure we're not creating some --

7 COMMISSIONER BILLIE JO UNDERWOOD:
8 Mr. Chairman, if I might make a statement, since
9 we have several people from the Fort Morgan area
10 here.

11 These address some zoning issues. We have
12 some other issues that I would like to -- to see.
13 And I don't want to open up a discussion for that
14 today.

15 But I just want you to know that I'm very
16 interested in the litter patrol that needs to
17 happen along your -- your beaches down there.

18 One morning I was fortunate enough to be down
19 there about 5:00 a.m. and -- and do one of your
20 turtle patrols. And I literally helped pick up
21 chairs out of the -- the water.

22 And I would like for you guys to help us help
23 you do something about what's in the -- in that
24 area. And our Solid Waste Director is here.

25 We -- we are trying to do what we can to try
26 to figure out what we can do. So I know you guys
27 are very proactive in your community. And if you
28 guys would just start thinking about that.

1 Let's don't prolong this meeting anymore.
2 Commissioner Ball is not here to tell me to hush.
3 But I'm -- just want you to know that I'm very
4 concerned about that.

5 And I saw it firsthand at about 5:30, 6
6 o'clock in the morning. It was disgusting. It
7 is disgusting what is left out there in the area
8 that doesn't belong to the private owners.

9 I understand if you've got your private
10 property. That's one thing. But when you're
11 picking up tents and chairs and all this kind of
12 stuff -- The turtles are one issue. The
13 pollution of our water is another issue. So I
14 just want y'all to know that.

15 AN AUDIENCE MEMBER: I'll get in touch
16 with you within a -- a couple of days.

17 COMMISSIONER BILLIE JO UNDERWOOD: If
18 y'all will contact -- Well, she's fixing to go on
19 vacation. But we're trying to get -- I want to
20 get some of like "LEAVE NO FOOTPRINT" kind of a
21 thing organized, but we're different -- a
22 different thing. So let's don't prolong this
23 meeting --

24 AN AUDIENCE MEMBER: Uh-huh. (Indicates
25 affirmatively.)

26 COMMISSIONER BILLIE JO UNDERWOOD: --
27 with this, because it's not on the agenda. But I
28 just wanted to, since so many of you are here, to

1 know that I'm concerned about that and would like
2 for you guys to help me help you.

3 AN AUDIENCE MEMBER: We've -- we've
4 discussed this. So we -- we'll talk with you.
5 One thing for you to consider, while you're
6 thinking about all the -- Because there's a lot
7 of ways to approach it -- is enforcement.
8 That's -- that's something --

9 COMMISSIONER BILLIE JO UNDERWOOD: We've
10 got to figure it out.

11 AN AUDIENCE MEMBER: Yeah.

12 COMMISSIONER BILLIE JO UNDERWOOD: I --
13 You know, big county, got a lot of things going
14 on. Help me help you; okay?

15 AN AUDIENCE MEMBER: Will do.

16 COMMISSIONER BILLIE JO UNDERWOOD: Yes,
17 ma'am?

18 MS. BONNIE LOWRY: Billie Jo, you and I
19 had discussed this a little bit at Robertsdale.
20 Is there any way at all that the County
21 Commission can make some kind of deal with the
22 Sheriff's Department -- And I see Mr. Hoss is
23 sitting over there -- that maybe somebody can
24 come down once or twice a week to begin with,
25 especially during the spring and summer season,
26 not only for the parking situation and the
27 streets, but to go out on the Baldwin County part
28 of the beach for -- to give fines or tickets?

1 Maybe the word would spread. And maybe
2 people would get hold of it, and they would stop.
3 I just wanted to throw that out there, that maybe
4 something can be done between both the County
5 Commission and the Sheriff's Department.

6 COMMISSIONER BILLIE JO UNDERWOOD: I'm
7 sure we can look into that. Thank you.

8 COMMISSIONER JOE DAVIS, III:
9 Mr. Chairman, if I could.

10 There are a lot of things Hoss and his
11 department do for all of us that a lot of us
12 don't even know about.

13 I don't know how many of y'all know that
14 every one of his cars and all of his people are
15 trained to deal with a defibrillator.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP)
17 GRUBER: Uh-huh. (Indicates affirmatively.)

18 COMMISSIONER JOE DAVIS, III: And we've
19 already saved two lives, we being his people.
20 And most of the citizens don't realize that's
21 even there.

22 But that's part of the proactive move that's
23 he's been a part of for a long time to make sure
24 that our safety is the Number 1 consideration.
25 And we'll continue to look into ways.

26 And I've got to say this. I've been involved
27 in POAs and City Councils and all this sort of
28 stuff. It's real easy for us to blame the kids.

1 The folks -- the folks that put the garbage out
2 are over twenty-one (21) years old. I'm
3 convinced of that. Thank you.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)
5 GRUBER: Okay.

6 MR. JOE EMERSON: Commissioner Billie
7 Jo, to your point -- And I --

8 COMMISSIONER BILLIE JO UNDERWOOD:
9 Please. Please. Let's don't get into a
10 discussion on this.

11 MR. JOE EMERSON: No. I was just going
12 to tell you, I talked to Debbie Harmon, who runs
13 Share the Beach. She loves the two-story limit
14 in that every one of those cars in that picture
15 bring the tents and chairs.

16 COMMISSIONER BILLIE JO UNDERWOOD: We
17 know.

18 MR. JOE EMERSON: And those are left out
19 on the beach. And we have a problem with
20 enforcement down there.

21 COMMISSIONER BILLIE JO UNDERWOOD: You
22 guys are great at -- at -- at all you do. Start
23 brainstorming on what we can do and bring us
24 something, some things.

25 MR. JOE EMERSON: You say the limitation
26 will help --

27 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

28 MR. JOE EMERSON: -- with the density.

1 COMMISSIONER BILLIE JO UNDERWOOD: Thank
2 you.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)
4 GRUBER: Huh-uh. (Indicates affirmatively.)
5 Okay. Vince.

6 MR. VINCE JACKSON: Real quick, y'all
7 have the final authority on re-zoning -- I mean,
8 a zoning text amendment. So if -- if there's
9 any -- any items in there that you all see that
10 needs to be changed, between now and next week,
11 let me know.

12 I just want to say we drafted these because
13 we were requested to draft them. These are not
14 things we just pulled out of the air. We have
15 been having discussions down there for over two
16 years now.

17 We realize there are a lot of problems.
18 We've attempted to address some things that we
19 can address through zoning, but zoning can't take
20 care of everything.

21 But this will be a public hearing. And if
22 anyone has any questions of me, feel free to give
23 me a call or send an e-mail. I'll be available.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP)
25 GRUBER: I've got one thing with -- If -- if this
26 is approved, how many nonconformities are we
27 going to create?

28 COMMISSIONER JOE DAVIS, III: Good

1 question.

2 MR. VINCE JACKSON: The --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: You know, because, you know, once we set
5 that, you know, anything else will be that. And,
6 you know, and I -- I just -- You know, I --
7 Zoning is not -- You're not -- When you zone,
8 you're not supposed to create --

9 MR. VINCE JACKSON: Right.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: -- you know, nonconformities, you know.
12 And that's -- that's why I just, you know -- what
13 the -- you know, how many nonconforming's are we
14 actually going to create that's going to put a --
15 It's going to put a -- Well, if you look at all
16 these pictures, you know, there's a lot -- a lot
17 of homes down here. And a lot of them are above
18 what we want to do.

19 And what is the -- I know the fire
20 departments have some requests. Well, what's
21 going to happen with -- I mean, if you -- How do
22 you handle this stuff? How are you going to
23 handle it? I mean --

24 COMMISSIONER BILLIE JO UNDERWOOD:

25 You've got to --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)

27 GRUBER: -- you're going to have a -- There's
28 a -- you're going to have a plan how you're going

1 to still handle those issues?

2 I mean, you know, and if -- you know, if
3 it -- if it gets out there, you know, to the --
4 and where people say, well, you know, I'm paying
5 for fire coverage, but I don't have -- my
6 insurance, I'm paying for insurance, but now I --
7 The fire department says they can't -- they
8 can't -- they can't do nothing for me, basically.

9 And I just -- I think we -- we -- we need --
10 We don't need to send that message. And I
11 don't -- I don't want to do that, you know.

12 You know -- you know, I know there's a lot of
13 things we need to do down here. But we also need
14 to, you know, be looking what we're going to
15 create once we -- once we do this.

16 MR. VINCE JACKSON: I think if you think
17 about the building height in terms of the number
18 of stories, there was a two-and-a-half story
19 height limit for many, many years.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)
21 GRUBER: Uh-huh. (Indicates affirmatively.)

22 MR. VINCE JACKSON: I would say, going
23 back to 1993, up until 2009, when it was -- when
24 it was first changed, so that's, what, about
25 sixteen (16) years?

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)
27 GRUBER: Uh-huh. (Indicates affirmatively.)

28 MR. VINCE JACKSON: We -- we removed

1 that stipulation about ten (10) years ago. So,
2 you know, looking at time it -- you had a height
3 limit for longer than we didn't in terms of
4 having the stories.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)

6 GRUBER: Okay.

7 MR. VINCE JACKSON: I don't think -- I
8 mean, I know that there are structures that have
9 been built to three stories. But when -- when
10 looking at how many might become nonconforming, I
11 don't know if it's that significant of an issue.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP)

13 GRUBER: Uh-huh. (Indicates affirmatively.)

14 MR. VINCE JACKSON: I would also point
15 out that when you're talking about the planned
16 developments down there, the PRDs, those are
17 governed by height that was approved with the
18 PRD. So they are not affected by this proposed
19 amendment.

20 The PRD that is in effect for those -- those
21 developments controls. And, in many cases, you
22 know, there is an allowance that they can
23 increase their number of stories by one. So --

24 And then, you know, multifamily structures
25 are governed under different stipulations --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)

27 GRUBER: Uh-huh. (Indicates affirmatively.)

28 MR. VINCE JACKSON: -- in -- in the

1 local provisions. So, you know, it's hard to say
2 how many structures might become nonconforming.
3 But I don't know if it's -- if it's really
4 problematic.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)
6 GRUBER: Okay.

7 MR. VINCE JACKSON: And what we have
8 found, at least during the time that I've been
9 here, when we've -- when we've had to deal with
10 hurricanes and that type of thing is that most
11 structures are able to build back as they are.

12 You know, the rules on nonconformity really
13 don't cause a lot of problems. And I just -- I
14 think it -- You know, I think this is something
15 that we need to try to address. And I'm just not
16 sure that we're going to be creating too many
17 nonconforming situations.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)
19 GRUBER: That's -- I just didn't want, you know,
20 us to get in -- step off into a hole, you know,
21 and then come back and say, oh, now, you know,
22 you've done this. Now what are we going to do,
23 you know?

24 MR. VINCE JACKSON: Right.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP)

26 GRUBER: I -- You know, it's --

27 COMMISSIONER BILLIE JO UNDERWOOD:
28 Well --

1 COMMISSION CHAIRMAN CHARLES F. (SKIP)

2 GRUBER: I mean, we've got to look at -- try and
3 look at both sides of what's going on. And
4 it's -- you know, it's -- it's -- it's difficult,
5 you know.

6 COMMISSIONER BILLIE JO UNDERWOOD:

7 Are -- are you saying that like if we do this,
8 then we've got some -- some structures that will
9 be nonconforming and that they may not be able to
10 get insurance --

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Well, it's like I told --

13 COMMISSIONER BILLIE JO UNDERWOOD: -- or
14 their rates maybe --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP)

16 GRUBER: Well --

17 COMMISSIONER BILLIE JO UNDERWOOD: -- go
18 up --

19 COMMISSION CHAIRMAN CHARLES F. (SKIP)

20 GRUBER: Their --

21 COMMISSIONER BILLIE JO UNDERWOOD: --
22 or --

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: Yeah. I don't know. That's --
25 that's the -- that's the questions I don't know,
26 you know.

27 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

28 MR. VINCE JACKSON: I think the main

1 issue is if the -- if the nonconforming structure
2 is damaged or destroyed to an extent greater than
3 fifty percent (50%) of its value --

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: Uh-huh. (Indicates affirmatively.)

6 MR. VINCE JACKSON: -- that, if it is,
7 then it has to be rebuilt in compliance with the
8 ordinances that are in place at that time.

9 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
10 I'm not talking about rebuilding it back. I'm
11 talking about --

12 MR. VINCE JACKSON: Right.

13 COMMISSIONER BILLIE JO UNDERWOOD: --
14 like let's say you own blue house here.

15 COMMISSIONER JOE DAVIS, III: That's
16 right.

17 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
18 And all the sudden, it's not -- doesn't meet
19 the -- the -- the thing.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)

21 GRUBER: Conformity.

22 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
23 And -- and you're buying insurance every year.
24 Whether you ever take a claim on it -- We hope we
25 never need -- need our insurance; right? But is
26 that going to affect these people? Is that what
27 you're saying?

28 COMMISSION CHAIRMAN CHARLES F. (SKIP)

1 GRUBER: Yeah. Basically, you know, I just --

2 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: You know, if it's going to --

5 COMMISSIONER BILLIE JO UNDERWOOD: So if
6 something is destroyed and you've got to rebuild
7 it, that's a whole other --

8 COMMISSION CHAIRMAN CHARLES F. (SKIP)

9 GRUBER: Yeah.

10 COMMISSIONER BILLIE JO UNDERWOOD: --
11 other aspect. I guess what we're saying is, is
12 the fire department currently saying we can't --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)

14 GRUBER: We can't --

15 COMMISSIONER BILLIE JO UNDERWOOD: --
16 adequately fight a fire in a structure like blue
17 house. Is that what -- is that --

18 MR. ERNIE CHURCH: No, we're not saying
19 that at all.

20 COMMISSIONER JOE DAVIS, III: They're
21 not saying that.

22 COMMISSIONER BILLIE JO UNDERWOOD: No.
23 You're just --

24 MR. ERNIE CHURCH: We will -- we will
25 certainly use the equipment we have to the extent
26 that we can use it.

27 COMMISSIONER BILLIE JO UNDERWOOD: But
28 you're saying that increasing it is going to make

1 it a burden on you and the cost of ladders and
2 all this kind of stuff; right?

3 MR. ERNIE CHURCH: Well, what we -- The
4 ladders we have are like twenty-two (22),
5 twenty-four (24) feet.

6 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

7 MR. ERNIE CHURCH: Above that, we're
8 talking deck guns. And the deck guns may or may
9 not control the fire.

10 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
11 So you're not --

12 MR. ERNIE CHURCH: The key is to get
13 people out.

14 COMMISSIONER BILLIE JO UNDERWOOD:
15 Right. You're not --

16 MR. ERNIE CHURCH: We hope when we get
17 there, the place is empty --

18 COMMISSIONER BILLIE JO UNDERWOOD:
19 Right. So you're not --

20 MR. ERNIE CHURCH: -- so that we can
21 fight the fire.

22 COMMISSIONER BILLIE JO UNDERWOOD: --
23 saying that. You're just saying that to prevent
24 future heights so that it would keep it in check,
25 I guess is what we're saying.

26 MR. ERNIE CHURCH: That's correct.

27 COMMISSIONER BILLIE JO UNDERWOOD:
28 Keeping it in check so it's not creating a --

1 Anytime we do -- anytime you do a zoning, unless
2 it starts from raw, basic land --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: And it's --

5 COMMISSIONER BILLIE JO UNDERWOOD: --
6 and you've got structures already there, you
7 enter into the possibility of having a -- a
8 nonconforming structure or something that has to
9 be grandfathered in.

10 And so I think that it's just an opportunity
11 to get a grip on this. I think that was what
12 the -- the intent of it was, right, before it got
13 out of hand maybe?

14 MR. WAYNE DYESS: That's my
15 understanding. And -- and Vince and I both met
16 with some of the -- the folks from the Fort
17 Morgan Advisory Committee. And I think that was
18 the desire. Let's -- let's not exacerbate the
19 problem that they see existing now.

20 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

21 MR. WAYNE DYESS: Let's not make it
22 worse.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: And that's -- yeah.

25 MR. WAYNE DYESS: Is that a fair
26 statement, Vince?

27 MR. VINCE JACKSON: Yes.

28 COMMISSIONER JOE DAVIS, III:

1 Mr. Chairman, if I could.

2 This gentleman asked, when I was speaking
3 earlier, a very pertinent question.
4 Grandfathering is not an option, in my mind. But
5 requiring -- And we refer to it as the blue
6 duplex, by the way. It's two --

7 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

8 COMMISSIONER JOE DAVIS, III: --
9 different. Make sure that they become complaint
10 in what their safety features are. I mean, you
11 add -- you could add fire escapes to the outside
12 of those buildings. That would make it better to
13 get people out. I'm not saying tear down the top
14 floor --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP)
16 GRUBER: Uh-huh. (Indicates affirmatively.)

17 COMMISSIONER JOE DAVIS, III: -- and all
18 that. But you can't just grandfather them in and
19 say, oh, you know, it's okay, because they were
20 already built.

21 Because that is a safety hazard. And it'll
22 stay a safety hazard until you have a way for
23 those people to get out.

24 So my -- my thought is, in order to conform,
25 what you have to do is come and present the ways
26 that you have for people to get out of that
27 building that's much better than what they have
28 now, which is one set of stairs.

1 COMMISSIONER BILLIE JO UNDERWOOD: I --
2 I agree that there's a safety issue. I wasn't
3 necessarily --

4 COMMISSIONER JOE DAVIS, III: Oh, it's a
5 safety issue.

6 COMMISSIONER BILLIE JO UNDERWOOD: I
7 wasn't necessarily meaning grandfather a
8 non-safety issue. I was meaning that height.
9 Okay.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)
11 GRUBER: Okay.

12 COMMISSIONER JOE DAVIS, III: Okay.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)
14 GRUBER: All right.

15 ATTORNEY DAVID CONNER: Mr. Chairman, I
16 think just to -- to answer the -- the question, I
17 think Commissioner Underwood right.

18 Once this passes, if there are any properties
19 that do become nonconforming, then they'll be
20 managed according with the nonconforming use
21 provisions as set forth in the ordinance. If
22 they're damaged more than -- I think it's
23 fifty percent (50%) -- as to how and when they
24 can be rebuilt or restored.

25 The question that -- that I -- that I think
26 would be worth asking is just to check with an
27 insurance broker about the policies that are
28 being written.

1 And a lot of times, the policy language will
2 affect whether or not -- the coverage that they
3 have. So, for example, if it says that we agree
4 to pay to build this building back in conformity
5 with all applicable laws, rules, and
6 regulations --

7 COMMISSIONER JOE DAVIS, III: Yeah.

8 ATTORNEY DAVID CONNER: -- and doesn't
9 cover the entire loss, then that could be an
10 insurance issue for someone that no longer can
11 build a two story back.

12 So maybe if you want to -- if you want to
13 look at that -- that issue just briefly, let the
14 staff get some help, contact an insurance
15 broker -- And I'll be glad to do that -- to see
16 how that language is written in a policy and
17 whether or not the fact that the building becomes
18 nonconforming affects their ability to receive
19 full value for the insurance that they purchased.
20 I think that was one of the questions that was
21 asked.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)

23 GRUBER: Uh-huh. (Indicates affirmatively.)

24 ATTORNEY DAVID CONNER: We can -- we can
25 make that inquiry together if y'all want to just
26 see if there's any issues.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: Okay.

1 ATTORNEY DAVID CONNER: But that's an
2 issue that's countywide.

3 COMMISSIONER BILLIE JO UNDERWOOD:
4 Right.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)
6 GRUBER: Yeah. Yeah.

7 ATTORNEY DAVID CONNER: Because you have
8 to --

9 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

10 ATTORNEY DAVID CONNER: Every time you
11 have a nonconforming --

12 COMMISSIONER BILLIE JO UNDERWOOD:
13 Right. Anytime -- Like I said, unless you start
14 from no structures, that you're always going to
15 have an opportunity for that to happen. But to
16 rectify a situation, you've got to start
17 somewhere.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)
19 GRUBER: Okay. All right.

20 COMMISSIONER JAMES E. (JEB) BALL: All
21 right. Vince, I'm going to ask one question, and
22 we'll move on. The house that's already been
23 dedicated to be built to the right of that one,
24 it's -- it's -- Paul, am I right? Is that the
25 house that's being -- going to be built to the
26 right of that one?

27 MR. PAUL STANTON: They're building
28 another one right beside it.

1 COMMISSIONER JAMES E. (JEB) BALL:

2 Another one right beside it that's already been
3 okayed to build. Are -- are they going to build
4 that one?

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)

6 GRUBER: Yeah.

7 COMMISSIONER JOE DAVIS, III: Well, --

8 COMMISSIONER JAMES E. (JEB) BALL: If --
9 if this passes, I mean, are they -- what is --
10 what is there, are they grandfathered in? Is
11 that what we're going to call it?

12 MR. VINCE JACKSON: Well, we haven't
13 approved their land use certificate, because of a
14 parking issue.

15 COMMISSIONER JAMES E. (JEB) BALL:
16 Because you're looking at -- now you're looking
17 at what? I don't even know what's -- I'm giving
18 a rough estimate there. But what's that,
19 eighteen (18) cars, maybe --

20 MR. VINCE JACKSON: Uh-huh.

21 COMMISSIONER JAMES E. (JEB) BALL: --
22 twenty (20) cars? And then you're going to put
23 another eighteen (18) cars on the other side?

24 MR. VINCE JACKSON: Well, the -- the
25 blue --

26 COMMISSIONER JOE DAVIS, III: They spill
27 out on the road, too.

28 MR. VINCE JACKSON: The -- the blue

1 duplex was built before we adopted the current
2 parking ordinance.

3 COMMISSIONER JAMES E. (JEB) BALL: Yeah.
4 So but the other blue duplex, that's going to be
5 like its twin brother --

6 MR. VINCE JACKSON: Right.

7 COMMISSIONER JAMES E. (JEB) BALL: --
8 that's going right beside it -- And then I think
9 the people that live on the -- the other side of
10 the street won't even be able to see the water
11 anymore.

12 MR. VINCE JACKSON: And they -- And they
13 have a pending application. The -- They're
14 having to do some different things about parking.
15 And I don't know what the status of it is.

16 So at the point that they get that resolved,
17 we would have to look at it. And you could make
18 the argument that since it was pending, that we
19 would have to abide by the height at the time
20 that they submitted. But I don't know if they'll
21 get approval of the parking. So if they don't,
22 it'll be a moot point.

23 COMMISSIONER BILLIE JO UNDERWOOD: So
24 what you're saying is there's no permit been
25 issued to build it yet?

26 MR. VINCE JACKSON: Right.

27 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP)

1 GRUBER: Okay. All right.

2 COMMISSIONER JAMES E. (JEB) BALL:

3 But -- but it has been approved to be built. I
4 mean, y'all -- They've went through the -- Have
5 they gone through the -- the -- y'all's process?

6 MR. VINCE JACKSON: We had to -- It --
7 it -- it's -- it's complicated. We -- we had to
8 rescind our original land use approval because of
9 the parking issue.

10 COMMISSIONER JAMES E. (JEB) BALL: Okay.

11 MR. VINCE JACKSON: It is not -- So
12 there's no longer an approved land use
13 certificate.

14 COMMISSIONER JAMES E. (JEB) BALL: Okay.

15 MR. JOE EMERSON: Can I ask a question
16 real quick?

17 COMMISSION CHAIRMAN CHARLES F. (SKIP)

18 GRUBER: Yeah. Yeah.

19 MR. JOE EMERSON: If there's no
20 approval, then why are they starting
21 construction?

22 THE COURT REPORTER: What's his name?

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: Joe Emerson.

25 MR. VINCE JACKSON: They --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)

27 GRUBER: Joe Emerson.

28 MR. VINCE JACKSON: They put the --

1 MR. JOE EMERSON: They had a permit.

2 MR. VINCE JACKSON: They had -- briefly
3 had a permit. They put in a couple of pylons.
4 And then we stopped the work.

5 COMMISSIONER JAMES E. (JEB) BALL: Yeah.
6 They're not working anymore, are they, Joe?

7 MR. JOE EMERSON: I don't know.

8 COMMISSIONER JAMES E. (JEB) BALL: I
9 don't think they are. I don't think they've been
10 working down there.

11 MR. PAUL STANTON: They stopped work on
12 it.

13 MR. VINCE JACKSON: Yeah.

14 MR. PAUL STANTON: It's hung up on
15 Wildlife and Fisheries.

16 MR. VINCE JACKSON: Yeah. They have to
17 go back to Fish and Wildlife.

18 MR. PAUL STANTON: Wildlife and
19 Fisheries.

20 COMMISSIONER JAMES E. (JEB) BALL: But
21 I'm sure there's a few of these that's still left
22 out there ready to be developed and stuff. So --

23 MR. PAUL STANTON: Probably.

24 MR. VINCE JACKSON: And --

25 COMMISSIONER JAMES E. (JEB) BALL: And
26 Commissioner Gruber -- Chairman Gruber has got
27 a -- a good -- good point about this
28 nonconforming stuff. And Joe's got a good point

1 about safety issues and how -- how -- I mean,
2 this is all stuff that -- I guess this is a whole
3 other meeting to -- to talk about what --

4 MR. VINCE JACKSON: It's a lot to think
5 about.

6 COMMISSIONER JAMES E. (JEB) BALL: But
7 we kind of need to know before we go into
8 Tuesday.

9 MR. VINCE JACKSON: Yeah.

10 COMMISSIONER JOE DAVIS, III: That's
11 true.

12 MR. VINCE JACKSON: The -- You know, a
13 lot of times with -- with zoning text amendments,
14 there -- there is a -- a possibility that you're
15 going to create nonconforming situations. And --
16 and I -- I'm going to -- I'm going to try to be
17 real quick.

18 Prior to 1999, every zoned planning district
19 has its own zoning ordinance. In 1999, there was
20 unified zoning ordinance that was adopted that,
21 to some extent, combined all the zoning
22 designations at the time.

23 But it created nonconformities. You know,
24 there -- there are some things that conformed
25 before then that didn't conform after that.

26 When you have a new zoning -- a new planning
27 district, they have zoning. You adopt that
28 zoning map for the first time. Sometimes you're

1 going to create nonconformities. It's not ideal.

2 It's not that something we want to do. It's --

3 COMMISSIONER BILLIE JO UNDERWOOD: It's
4 going to happen. It's going to happen.

5 MR. VINCE JACKSON: But we'll look at
6 this to make sure, you know, to the extent that
7 we can, that we have some information on what --
8 what the repercussions might be.

9 And -- and I would like to -- I would like us
10 to go ahead and -- and get this adopted as soon
11 as we can so we can take a little more time on
12 it. I want -- I -- I'd rather it be --

13 COMMISSIONER BILLIE JO UNDERWOOD: I --

14 MR. VINCE JACKSON: -- in the form that
15 y'all are happy with than, you know, adopt it
16 quickly. And I certainly -- Any concerns that
17 you all have, let me know, and we will work on
18 it.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP)
20 GRUBER: Okay.

21 COMMISSIONER BILLIE JO UNDERWOOD: I
22 have a question --

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)
24 GRUBER: All right.

25 COMMISSIONER BILLIE JO UNDERWOOD: --
26 for the attorney. Is there any reason why that
27 we should delay this even if there are these
28 types of questions? Because those could always

1 be resolved. I mean, we could always go back and
2 amend again.

3 ATTORNEY DAVID CONNER: Yeah. I mean,
4 it really is up to y'all as it relates to the
5 timing. You certainly wouldn't want to adopt
6 anything that you knew was wrong.

7 COMMISSIONER BILLIE JO UNDERWOOD:
8 Right.

9 ATTORNEY DAVID CONNER: So --

10 COMMISSIONER BILLIE JO UNDERWOOD: But
11 do we have any --

12 ATTORNEY DAVID CONNER: -- that creates
13 issues. If -- if -- so if there's something that
14 gives you concern, and you feel like you need to
15 have a discussion before you make an informed
16 decision, then, yes, let's do the investigation
17 and get the information to you.

18 But, as you know, zoning documents are all
19 living and breathing documents. As this thing is
20 administered, there may need to be changes made
21 over time --

22 COMMISSIONER JOE DAVIS, III: Sure.

23 ATTORNEY DAVID CONNER: -- to address
24 those things. But if you have a known issue
25 right now that's problematic to you, either as a
26 group or individually, that you need to have more
27 time to get to the end of it, you know, that's
28 certainly something that you-all could consider

1 and do at this point.

2 COMMISSIONER JAMES E. (JEB) BALL:

3 Vince, my question with that is that this is my
4 ultimate question. In 2009, whenever this took
5 place --

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: Yeah.

8 COMMISSIONER JAMES E. (JEB) BALL: --
9 from going from a two-story house to the
10 two-and-a-half-story to the three-story houses,
11 what was the reasoning behind that without any
12 plans whatsoever for safety?

13 And now we're hearing, ten (10) years later,
14 about safety issues with two hundred (200) houses
15 already built that's not safe.

16 MR. WAYNE DYESS: Commissioner, I can
17 answer that, because I was here at the time. And
18 Vince and I both have -- have racked our brains.
19 We don't know what the initiation was.

20 I will tell you that looking at it right now
21 and looking at some of these pictures, I think
22 that we made a mistake. And I'll probably be the
23 first to admit that.

24 I think when you see all these properties,
25 cars parked here, I think that was a mistake in
26 2009. And I wish we could go back and undo it.
27 And, unfortunately, we can't. But this is not
28 the -- I think this is an unintended consequence

1 that that amendment had.

2 And, Vince, if you -- I -- We -- The one --
3 the one issue I do know we were dealing with was
4 the two-and-a-half stories and how to measure it.
5 And, you know, you always had someone trying to
6 push the envelope. I don't know if we had a push
7 from any other source. I don't remember at all.

8 But I can tell you that looking at these
9 pictures, I think that the -- the parking issues
10 and the safety issues were an unintended
11 consequence of that decision we made in 2009.

12 MR. VINCE JACKSON: I -- I think Wayne
13 is exactly right. You know, he and I have worked
14 together for a long time. And we've -- When --
15 when it comes to -- when it, you know, came to
16 zoning text amendments, we were always, you know,
17 working together on that.

18 And I think, based on my memory -- And -- and
19 it's been over ten (10) years -- I think it -- it
20 came down to the house story and people pushing
21 the envelope on house story.

22 And it was already thirty-five (35) feet. So
23 we kind of approached it, well, it's still --
24 it's going to be thirty-five (35) feet either
25 way, so we'll just leave it as a maximum height
26 in feet.

27 When we -- when we took the maximum number of
28 habitable stories away, you know, we didn't

1 anticipate that. And -- and that --
2 Unfortunately, when you change the zoning
3 ordinance, sometimes there are, as Wayne said,
4 unintended consequences. And that was an
5 unintended consequence of -- of that change.

6 Sometimes it takes you a while to figure out
7 maybe we shouldn't have done that. And I think
8 that's -- that's how we are with this one. You
9 know, ten (10) years later, we're seeing these.

10 COMMISSIONER JAMES E. (JEB) BALL: Well,
11 when the -- when the -- when it was changed, was
12 there any opposition from the Fort Morgan, their
13 own planning and zoning?

14 MR. VINCE JACKSON: No.

15 COMMISSIONER JAMES E. (JEB) BALL: There
16 was no opposition --

17 MR. VINCE JACKSON: No.

18 COMMISSIONER JAMES E. (JEB) BALL: -- to
19 create this?

20 COMMISSIONER BILLIE JO UNDERWOOD: They
21 didn't realize it.

22 MR. WAYNE DYESS: But at that time, the
23 Fort Morgan Zoning Advisory Committee had not
24 been created. That was created by the Federal
25 Legislature in 2012.

26 MR. VINCE JACKSON: I think so.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: Yeah. Yeah.

1 MR. VINCE JACKSON: And they -- they
2 weren't around back then. And -- and from what I
3 remember on changing the height, I don't think we
4 had any pushback on it back then.

5 COMMISSIONER BILLIE JO UNDERWOOD: You
6 just didn't foresee this.

7 MR. VINCE JACKSON: We didn't foresee
8 this.

9 COMMISSIONER BILLIE JO UNDERWOOD: You
10 didn't foresee this --

11 MR. VINCE JACKSON: Right.

12 COMMISSIONER BILLIE JO UNDERWOOD: --
13 and how people could fit that much into the
14 height.

15 MR. VINCE JACKSON: And it's -- it
16 hasn't been an issue in other parts of the county
17 that I'm aware of. This is really the only area
18 where it's been a problem.

19 COMMISSIONER BILLIE JO UNDERWOOD: Well,
20 it's unique down there.

21 MR. VINCE JACKSON: Right.

22 COMMISSIONER JOE DAVIS, III: Oh, sure.

23 MR. WAYNE DYESS: Mr. Chairman, can I
24 speak to one quick issue?

25 COMMISSION CHAIRMAN CHARLES F. (SKIP)

26 GRUBER: Go -- yeah. Go ahead.

27 MR. WAYNE DYESS: So I -- I've been
28 involved in planning and zoning from -- for about

1 twenty-six (26) years in multiple states. I
2 can -- I can't count but maybe a handful of times
3 that we ever had an issue with nonconforming.
4 It -- it sounds big and -- and imposing.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)

6 GRUBER: Uh-huh. (Indicates affirmatively.)

7 MR. WAYNE DYESS: I can't think of a
8 time where we -- I mean, there's very, very few
9 times I can think of where we had an issue where
10 it was just, you know, dramatic.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Uh-huh. (Indicates affirmatively.)

13 MR. WAYNE DYESS: As Vince alluded to
14 earlier, most of the storms you have, because the
15 homes are elevated, there's very little --
16 There's -- there's damage to decks and pools and
17 things like that. But as far as the structure
18 itself, if it's a modern structure, it usually
19 will -- will be -- will withstand the storm.

20 If it's an older structure -- Which most of
21 those are one story down there. If you look down
22 at Fort Morgan, the ones that are thirty (30),
23 forty (40), fifty (50) years old are typically
24 one stories. There's a couple of two stories.

25 Those, at times, have had damage, when you
26 look at some of the photographs, and just from
27 our experiences after Ivan and Opal and other
28 storms like that.

1 So it's definitely something to consider.

2 And we'll certainly follow up on that.

3 MR. VINCE JACKSON: Yes.

4 MR. WAYNE DYESS: But I don't think it's
5 going to --

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: Okay.

8 MR. WAYNE DYESS: -- it's imposing doom
9 with that -- so -- from a damage standpoint. And
10 even if it's damaged, it's got to be -- as Vince
11 alluded to a minute ago, it's got to be damaged
12 more than fifty percent (50%). Many times
13 that's -- that's a pretty high burden.

14 MR. VINCE JACKSON: It is.

15 COMMISSIONER JAMES E. (JEB) BALL: Well,
16 check -- I mean --

17 MR. WAYNE DYESS: Anytime that we've
18 dealt with a nonconforming?

19 MR. VINCE JACKSON: Not really.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)

21 GRUBER: Okay.

22 MR. VINCE JACKSON: I think after --
23 when you think about like Ivan and Katrina and
24 some of the issues that -- that we saw after
25 that, the -- the nonconformity issues were more
26 building code related and not -- not zoning.
27 We -- I don't --

28 COMMISSION CHAIRMAN CHARLES F. (SKIP)

1 GRUBER: Okay.

2 MR. VINCE JACKSON: -- recall us really
3 having any zoning issues.

4 MR. WAYNE DYESS: Right. But we'll
5 certainly follow up on that with the -- from the
6 insurance perspective. And we'll --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: Okay.

9 MR. WAYNE DYESS: -- elicit David's help
10 with that and -- and get you a response.

11 COMMISSIONER JAMES E. (JEB) BALL: I
12 mean --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)

14 GRUBER: All right.

15 COMMISSIONER JAMES E. (JEB) BALL:
16 Mr. Chairman, with -- Just to make all this
17 short, I mean, I -- I would -- I would like to
18 see these public hearings go forward on Tuesday.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP)

20 GRUBER: Well, yeah. Oh, yeah. They're --

21 COMMISSIONER JOE DAVIS, III: Oh, yes.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)

23 GRUBER: Oh, yeah. Oh, no. No. I'm not trying
24 to say we're not going to stop. I just --
25 There's some questions that we need to get --
26 make sure we get answers before we make this.
27 Because once we ring that bell, you can't un-ring
28 that bell, unless you try to do something else.

1 COMMISSIONER JAMES E. (JEB) BALL:

2 Ms. Lowry has got a --

3 COMMISSIONER JOE DAVIS, III: There's
4 been a heck of a lot of bells that have been
5 rung. We --

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: Oh, yeah. I know.

8 COMMISSIONER JOE DAVIS, III: This is
9 the first step --

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: I know.

12 COMMISSIONER JOE DAVIS, III: -- in
13 correcting --

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)

15 GRUBER: I know.

16 COMMISSIONER JOE DAVIS, III: -- an
17 unsafe situation.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)

19 GRUBER: Okay.

20 COMMISSIONER JOE DAVIS, III: Whether
21 that's a two-and-a-half-story building --

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)

23 GRUBER: I understand.

24 COMMISSIONER JOE DAVIS, III: -- that's
25 forty (4) plus feet --

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)

27 GRUBER: Okay.

28 COMMISSIONER JOE DAVIS, III: -- to the

1 ground --

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: I understand.

4 COMMISSIONER JOE DAVIS, III: -- with no
5 fire escape. And that -- I can't even imagine
6 that.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: Well, but, you know, the thing with --
9 on residential things, you know, the -- the
10 building codes, you know, I think in the State of
11 Alabama, they said they will not, you know, make
12 you put fire suppressants in homes, you know,
13 because of the -- the -- the cost.

14 A lot of this stuff, you know, that is out
15 there, but, you know, the -- the State said no,
16 you're not going to --

17 COMMISSIONER JOE DAVIS, III: Do they
18 make motels do it?

19 COMMISSION CHAIRMAN CHARLES F. (SKIP)

20 GRUBER: Well, like -- well, they make motels --

21 COMMISSIONER JOE DAVIS, III: Because
22 that's what --

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: But --

25 COMMISSIONER JOE DAVIS, III: -- these
26 are being used as.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: I know. But they're not making

1 residential homes do it.

2 COMMISSIONER JOE DAVIS, III: That's not
3 a residential home when you -- when you rent it
4 out --

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)

6 GRUBER: But it's --

7 COMMISSIONER JOE DAVIS, III: -- to
8 forty-four (44) people.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP)

10 GRUBER: I know. I know it's not. But --

11 MS. BONNIE LOWRY: Let me just say
12 something, if I may, Skip.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)

14 GRUBER: Yes.

15 MS. BONNIE LOWRY: We're not just
16 talking about safety. We are talking about
17 people's lives.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)

19 GRUBER: Okay. All right.

20 MS. BONNIE LOWRY: And I'm thinking that
21 we're not just talking about the height of a
22 building. We're talking about the number in the
23 building, getting those people out if they can't
24 get out. So my suggestion is perhaps we need to
25 go a step further and revamp the building
26 codes --

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: Well --

1 MS. BONNIE LOWRY: -- so that they have
2 to have escapes and sprinklers, so that they have
3 to have some prevention, even in these old ones,
4 if they want to renew their insurance that they
5 have on these places.

6 And that's something that the County can do
7 as far as the people who already have these
8 houses that we -- that are grandfathered in.

9 Now, if a storm comes along, they're not
10 going to be able to rebuild that if they're fifty
11 percent (50%) destroyed.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP)

13 GRUBER: Uh-huh. (Indicates affirmatively.)

14 MS. BONNIE LOWRY: But I'm just saying
15 maybe the building codes need to be revamped in
16 order for them to renew their insurances that
17 they have.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)

19 GRUBER: Okay.

20 MS. BONNIE LOWRY: Thank you.

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)

22 GRUBER: All right. Thank you. All right.

23 ATTORNEY DAVID CONNER: Mr. Chairman,
24 just -- just listening to what you all have said,
25 just one more quick question on that. I -- I was
26 not representing the County at the time those
27 changes were made. And -- But I vaguely remember
28 in Gulf Shores and Orange Beach and in the

1 county, there were questions about pergolas -- or
2 not pergolas. What's the -- at the top?

3 MR. VINCE JACKSON: Cupola?

4 ATTORNEY DAVID CONNER: Cupolas. When
5 they were adding cupolas at the top, they weren't
6 supposed to be habitable. But people were air
7 conditioning them. And that's -- that's the only
8 thing I remember prior to that discussion about
9 what could be done.

10 This is limiting everything to two stories.
11 Is -- is there a concern about the number of half
12 stories? And would that be a problem, or -- or
13 have y'all --

14 MR. WAYNE DYESS: Well, so just a little
15 background for -- From 1993 to 2009,
16 two-and-a-half stories were the -- were the
17 normal everywhere in the county, I believe --

18 ATTORNEY DAVID CONNER: Okay.

19 MR. WAYNE DYESS: -- except for those
20 planned developments in Fort Morgan that have
21 exceptions to go about that and multifamily, as
22 Vince mentioned.

23 So two-and-a-half stories was -- basically it
24 was two stories and then your second -- your half
25 story had to be under the roof.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)

27 GRUBER: Uh-huh. (Indicates affirmatively.)

28 MR. WAYNE DYESS: So you couldn't add a

1 third story. It had to be under the roof line of
2 that two-story building. And you were allowed to
3 finish out, what, fifty percent (50%) --

4 MR. VINCE JACKSON: Fifty percent (50%).

5 MR. WAYNE DYESS: -- of the floor area
6 below it. And that's kind of how it was defined.

7 ATTORNEY DAVID CONNER: Okay.

8 MR. WAYNE DYESS: And so that -- that
9 was a two-and-a-half story.

10 ATTORNEY DAVID CONNER: Well, that --
11 that would not qualify for that at all.

12 MR. WAYNE DYESS: No.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)
14 GRUBER: No. That's a --

15 ATTORNEY DAVID CONNER: The question
16 is -- Commissioner Ball raised it -- was there's
17 been two hundred (200) and something houses built
18 with the half story, that we're also going to be
19 making those nonconforming as well. Did -- did
20 y'all talk about whether or not we should leave
21 the half story?

22 MR. VINCE JACKSON: We did. We -- And
23 when we first drafted this, and the way Wayne and
24 I approached it was we wanted to do
25 two-and-a-half stories. That was what we first
26 presented.

27 But in attending these meetings at Fort
28 Morgan, we started hearing about the safety

1 concerns of the Volunteer Fire Department.

2 And so when we got a letter from the
3 Volunteer Fire Department specifically asking us
4 to do two stories for Planning District 25, we
5 felt like that was something that we needed to
6 present. But we -- we -- we actually started
7 with two-and-a-half --

8 ATTORNEY DAVID CONNER: Okay.

9 MR. VINCE JACKSON: -- which would
10 basically put us back to where we were before
11 2009.

12 MR. WAYNE DYESS: And, Mr. Chairman,
13 from -- you know, from -- I guess, Vince and I
14 had approached it early on from a practical
15 standpoint. We thought that two-and-a-half
16 stories was appropriate.

17 However, as Vince said, when you have public
18 safety coming to you and saying, hey, this is a
19 major problem for us, obviously, we wanted to --
20 to consider that.

21 And -- and we did not want to go against
22 something that was felt that would be a hazard
23 going forward. So we absolutely said, hey, if
24 that's -- if it's a public safety issue, and you
25 made great arguments for it, then we're going to
26 certainly present that going forward.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: Okay. All right. Okay. So this

one will be a public hearing on this one also.

H-1 - DISCUSS CAPABILITY OF RECORDING COMMISSION WORK
SESSION MEETINGS AND OTHER PUBLIC MEETINGS FOR POST
MEETING VIEWING (REVISITED)

COMMISSION CHAIRMAN CHARLES F. (SKIP)

GRUBER: All right. Next.

MR. WAYNE DYESS: Mr. Chairman, next,
item H-1 has been removed.

COMMISSION CHAIRMAN CHARLES F. (SKIP)

GRUBER: Okay.

K-1 - VAUGHN S.A.I.L. CENTER

MR. WAYNE DYESS: We'll go on to Item
K-1, which is the Vaughn S.A.I.L. center.

As you may recall at the last work session,
we had a discussion about the Vaughn Center and
the lease of the Vaughn Center.

And David, I believe, drafted -- There's a
lease agreement at your table that David drafted
for the Vaughn Center. And I'll ask Kelly to
kind of give a brief background on that. Then we
can talk about the lease.

THE COURT REPORTER: People are leaving.

COMMISSION CHAIRMAN CHARLES F. (SKIP)

GRUBER: Just -- All right. Hang on just a
second and let -- you know, let's let the noise
level go down a little bit. She's trying to --

1 MS. KELLY CHILDRESS: We're good?

2 THE COURT REPORTER: Yes.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: Okay.

5 MS. KELLY CHILDRESS: As you recall, we
6 were in discussion about what the County was
7 going to offer to the Vaughn S.A.I.L. Center.
8 And I think David Conner is going to speak about
9 that.

10 But we also have present Mr. -- Pastor Lesley
11 Williams and -- with Vaughn and then Susan
12 Broadhead with SARPC over the nutrition program.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)

14 GRUBER: Okay.

15 MS. KELLY CHILDRESS: So, David, if you
16 want to take it away.

17 ATTORNEY DAVID CONNER: And as we
18 talk -- and as we talk about this, I'm going to
19 take it through you fairly quickly so you'll know
20 what all is in here.

21 We need to think about this also in terms of
22 the -- the S.A.I.L. Center that's to be
23 constructed on the Ferguson property.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP)

25 GRUBER: Uh-huh. (Indicates affirmatively.)

26 MS. KELLY CHILDRESS: The one at Little
27 River.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP)

1 GRUBER: Uh-huh. (Indicates affirmatively.)

2 ATTORNEY DAVID CONNER: Because I'm --
3 I'm assuming that's going to be a similar lease
4 agreement --

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)

6 GRUBER: Same thing.

7 ATTORNEY DAVID CONNER: -- with them.

8 MS. KELLY CHILDRESS: Correct.

9 ATTORNEY DAVID CONNER: And so we need
10 to try and create a form that can be used, you
11 know, generally that way.

12 So as -- If you look at the lease agreement,
13 it's pretty simple. It's going to be a -- a
14 lease between the Baldwin County Commission and
15 the 501(c)(3) corporation.

16 We have the legal descriptions that'll be
17 inserted for the property. And my question is,
18 how many acres? I've got a few questions to ask.
19 How many acres is the property? Do you know?

20 MS. KELLY CHILDRESS: Acres at Vaughn?

21 ATTORNEY DAVID CONNER: Just one acre?

22 MS. KELLY CHILDRESS: I believe.

23 ATTORNEY DAVID CONNER: Okay. So we --
24 so we'll probably change that language just to
25 say the one acre. In the past when we leased it
26 to Pathway, there was a bunch of land, and we
27 wanted to reserve the right to carve out land to
28 use for other uses.

1 But in this case, if it's small enough, we
2 don't have to worry about that.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: I don't know if it is or not. That's --
5 Yeah. I think that's on a pretty good chunk of
6 property, if I'm not --

7 ATTORNEY DAVID CONNER: All right. If
8 it's on several acres, then I'm going to --

9 MS. KELLY CHILDRESS: I think --

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: I think it is.

12 ATTORNEY DAVID CONNER: -- leave this
13 language like it is. But it reserves us the
14 right to take it out.

15 COMMISSIONER JAMES E. (JEB) BALL: Yeah.
16 I think --

17 MS. KELLY CHILDRESS: Oh.

18 COMMISSIONER JAMES E. (JEB) BALL: --
19 it's more than an acre.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)

21 GRUBER: I think it's more than an acre.

22 MS. KELLY CHILDRESS: Is it?

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: Yeah.

25 ATTORNEY DAVID CONNER: All right. Then
26 I'm going to leave that language in. And then by
27 the exhibit we've got there, we'll show the
28 portion where the center is that they can use.

1 That way --

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: Okay.

4 ATTORNEY DAVID CONNER: -- y'all can use
5 it for another purpose, if you see -- deem
6 necessary.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: Okay. Yeah.

9 ATTORNEY DAVID CONNER: Same thing with
10 the -- the -- the one in --

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Yeah. Because it's two acres up there.
13 And we know what that is.

14 ATTORNEY DAVID CONNER: I mean, you --
15 you may want to be able to take it out and use it
16 for something different.

17 The lease premise is basically -- basically
18 will be used by them for the operation of the
19 programs that they've agreed to with SARPC.

20 And we put in there that they cannot use the
21 property for any other business uses or purposes
22 for that site.

23 We had talked at one point in time about some
24 specific limitations that you may all want to
25 include. I remember us talking about car washing
26 and that kind of thing, whether or not you wanted
27 to allow weddings and those kind of activities.

28 If you still want to exclude those, then I

1 will put that in a specific list there after that
2 prohibition.

3 Are there any other items that y'all would
4 like to specifically exclude besides those two?

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)

6 GRUBER: Well, I think it's -- You know, the
7 whole thing was designed -- We -- we wanted this
8 for a -- a S.A.I.L. Center --

9 ATTORNEY DAVID CONNER: Absolutely.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: -- for the nutrition of our elderly
12 people, to have a place to go, and, you know,
13 have a --

14 COMMISSIONER JAMES E. (JEB) BALL: Yeah.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP)

16 GRUBER: -- place --

17 COMMISSIONER JAMES E. (JEB) BALL:

18 It's --

19 MS. KELLY CHILDRESS: Okay.

20 COMMISSIONER JAMES E. (JEB) BALL: --
21 anything other than intended use, whether it's
22 a --

23 MS. KELLY CHILDRESS: Well --

24 COMMISSIONER JAMES E. (JEB) BALL: -- a
25 wedding reception, a party, a get-together, a
26 fish fry, a volleyball -- whatever, a basketball
27 game.

28 This is a S.A.I.L. Center. It's a food

1 distribution center. It's an activity center for
2 those people to come up, enjoy their meal, and
3 take part in whatever S.A.I.L. Centers do --

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: Uh-huh. (Indicates affirmatively.)

6 COMMISSIONER JAMES E. (JEB) BALL: --
7 not any of the other things.

8 COMMISSIONER BILLIE JO UNDERWOOD: Well,
9 I think if you don't specifically exclude some
10 things, then they could say that they were having
11 a -- a car wash to benefit the S.A.I.L. program.

12 So you do have to be explicit sometimes,
13 because activities are to occur between 8:30 and
14 12:30, in my -- under my understanding, at most
15 of the S.A.I.L. Centers.

16 And so if there is an activity that you
17 explicitly don't want, you need to say so.
18 Because if you just assume what S.A.I.L.
19 activities do, you know, they may incorporate it
20 into that's what they do. And there is
21 something -- and there is --

22 COMMISSIONER JAMES E. (JEB) BALL: Well,
23 they can have a car wash at the church for the
24 S.A.I.L. Center if --

25 MS. KELLY CHILDRESS: Right.

26 COMMISSIONER JAMES E. (JEB) BALL: --
27 if they wanted to.

28 COMMISSIONER BILLIE JO UNDERWOOD: But

1 I'm just saying that if you -- You need to be --

2 ATTORNEY DAVID CONNER: We'll --

3 COMMISSIONER BILLIE JO UNDERWOOD: --

4 specific in this.

5 ATTORNEY DAVID CONNER: We'll do that.

6 Yeah. What I said -- what I said is "any other
7 business activity or uses are expressly
8 prohibited." And I've added "including, but not
9 limited to." And I've got "car wash, wedding
10 events" and those kind of things. If y'all think
11 of anything else, let me know and --

12 COMMISSION CHAIRMAN CHARLES F. (SKIP)

13 GRUBER: Okay.

14 ATTORNEY DAVID CONNER: -- we'll add
15 those in.

16 MS. SUSAN BROADHEAD: I would say, after
17 our discussion, that case in point, this Monday
18 is a holiday for all of our State facilities.
19 But we have nonprofits that will choose to stay
20 open on Monday just to give --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)

22 GRUBER: Uh-huh. (Indicates affirmatively.)

23 MS. SUSAN BROADHEAD: -- then a place to
24 come. They won't get hot meals through our
25 program.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)

27 GRUBER: Uh-huh. (Indicates affirmatively.)

28 MS. SUSAN BROADHEAD: -- but they will

1 do activities. They may do a potluck. They may
2 do something to bring --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: Uh-huh. (Indicates affirmatively.)

5 MS. SUSAN BROADHEAD: -- other food in.
6 I would just say that that may be something y'all
7 might want to consider, or even allow them to be
8 open Monday through Friday, even if it's a State
9 holiday.

10 Because the church may want to provide food
11 for them that day, and activities, so they don't
12 have to go without that normal Monday activity.

13 COMMISSIONER JAMES E. (JEB) BALL: But
14 with that being said, it's still governed by
15 y'all's rules and regulations; right?

16 MS. SUSAN BROADHEAD: No.

17 MS. KELLY CHILDRESS: No.

18 MS. SUSAN BROADHEAD: At that point, it
19 would -- it would not be --

20 COMMISSIONER JAMES E. (JEB) BALL: Not
21 on -- not on that day. But so they could come in
22 and they could bring food that's not certified by
23 the Health Department or whatever and --

24 MS. SUSAN BROADHEAD: Yes, sir. Yes,
25 sir.

26 COMMISSIONER JAMES E. (JEB) BALL: Okay.

27 COMMISSIONER JOE DAVIS, III: I --

28 COMMISSION CHAIRMAN CHARLES F. (SKIP)

1 GRUBER: Even --

2 MS. SUSAN BROADHEAD: But like
3 Summerdale, like we have one in Summerdale --

4 COMMISSIONER JOE DAVIS, III: Right.

5 MS. SUSAN BROADHEAD: -- that's run by
6 the Town of Summerdale. If the Town of
7 Summerdale says, we don't want to close our
8 senior center for that day, even if you're not
9 putting in hot meals, they can bring in food,
10 like I said, potluck. They can bring in potluck
11 food, because our food is not in there. So we're
12 not governing how that's handled that day.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)

14 GRUBER: But if y'all are --

15 ATTORNEY DAVID CONNER: Well, I've
16 got --

17 COMMISSION CHAIRMAN CHARLES F. (SKIP)

18 GRUBER: If y'all -- y'all are -- have food in
19 there, nobody can -- else can bring anything else
20 other than --

21 MS. SUSAN BROADHEAD: Unless it's store
22 bought.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: -- what is being at -- at that --

25 MS. SUSAN BROADHEAD: Unless it's store
26 bought --

27 MS. KELLY CHILDRESS: On that day.

28 MS. SUSAN BROADHEAD: -- like a cake.

1 Like they wanted to --

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: A --

4 MS. KELLY CHILDRESS: A birthday cake.

5 MS. SUSAN BROADHEAD: -- celebrate
6 birthdays for the month --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: A birthday cake or something like that,
9 yeah.

10 MS. SUSAN BROADHEAD: -- they could
11 bring in a -- a store bought --

12 COMMISSION CHAIRMAN CHARLES F. (SKIP)

13 GRUBER: Yeah.

14 MS. SUSAN BROADHEAD: -- birthday cake.

15 COMMISSION CHAIRMAN CHARLES F. (SKIP)

16 GRUBER: But they can't bring like produce and
17 give it out and all of this stuff.

18 MS. SUSAN BROADHEAD: They can do that.
19 They just can't consume it during the hours.
20 Like if somebody has --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)

22 GRUBER: Okay.

23 MS. SUSAN BROADHEAD: -- their own
24 garden and brings in a --

25 COMMISSION CHAIRMAN CHARLES F. (SKIP)

26 GRUBER: Okay.

27 MS. SUSAN BROADHEAD: -- bunch
28 of cucumbers, and they said, we want to give

1 out --

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: Okay.

4 MS. SUSAN BROADHEAD: -- and bless
5 somebody with cucumbers, they can do that. We
6 just say that they don't need to --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: They can't consume it.

9 MS. SUSAN BROADHEAD: -- eat it during
10 the hours.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Okay. Right. Okay.

13 MS. SUSAN BROADHEAD: So --

14 MS. KELLY CHILDRESS: I know at this
15 time the -- the Loxley Center is with the
16 Commission, with myself. And it is closed. Like
17 if -- if the State is closed Monday, the Loxley
18 Center is closed Monday.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP)

20 GRUBER: Okay.

21 MS. KELLY CHILDRESS: Cities,
22 Municipalities run theirs different. But if
23 the -- if -- if the State is closed and meals are
24 not being delivered, then usually the Loxley
25 S.A.I.L. Center is closed.

26 COMMISSIONER BILLIE JO UNDERWOOD: Well,
27 but the thing is, they're running it. We're not.
28 So we have to specify if we want to allow them to

1 open it --

2 MS. KELLY CHILDRESS: Right.

3 COMMISSIONER BILLIE JO UNDERWOOD: -- on
4 a day that SARPC is not delivering meals.

5 MS. SUSAN BROADHEAD: Yeah. That --
6 that --

7 MS. KELLY CHILDRESS: Right.

8 MS. SUSAN BROADHEAD: That was the main
9 thing I wanted to put out there, is that --

10 MS. KELLY CHILDRESS: Right.

11 MS. SUSAN BROADHEAD: -- when you're
12 making those stipulations, if you don't want them
13 to be open when we are not providing hot meals,
14 y'all need to state that so they'll have a clear
15 understanding whether they can do that.

16 Because, again, we have several holidays
17 throughout the year. One will be they have -- I
18 think it's close to ten (10) days at Christmas
19 that they will be closed, the whole week of
20 Christmas and most of the week afterwards.

21 So, again, some of our centers who are
22 nonprofit run do choose to keep their centers
23 open slightly, if not that whole time, and
24 provide the activities, even if they don't
25 provide the food during the normal operation
26 times from 9:00 to 1:00 or 8:30 to 12:30 so that
27 they can provide their seniors that activity
28 center, that involvement. Because so many of

1 them become dependent on that -- that space.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: Okay.

4 MS. SUSAN BROADHEAD: So I just wanted
5 to --

6 ATTORNEY DAVID CONNER: Yeah. That --

7 MS. SUSAN BROADHEAD: -- make sure y'all
8 are aware that that does happen. And since
9 they're nonprofit running, y'all -- I don't know
10 how y'all want to handle that.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Okay.

13 ATTORNEY DAVID CONNER: All right.

14 Well, if --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP)

16 GRUBER: That's -- that's --

17 ATTORNEY DAVID CONNER: -- y'all are
18 inclined to allow for that type of use -- And one
19 of the things we've got to talk about is hours --

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)

21 GRUBER: Uh-huh. (Indicates affirmatively.)

22 ATTORNEY DAVID CONNER: -- I would just
23 say we define the hours Monday through Friday.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP)

25 GRUBER: Yeah.

26 ATTORNEY DAVID CONNER: -- and not
27 delete holidays.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP)

1 GRUBER: Okay.

2 ATTORNEY DAVID CONNER: That way we give
3 them that flexibility, if you want to do that.
4 Is that something y'all are all comfortable with?

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)

6 GRUBER: Is that something y'all --

7 MR. LESLEY WILLIAMS: Yes.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP)

9 GRUBER: -- would like?

10 MR. LESLEY WILLIAMS: Yes.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Okay.

13 MR. LESLEY WILLIAMS: Monday through
14 Friday --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP)

16 GRUBER: Monday through Friday. Okay.

17 MR. LESLEY WILLIAMS: -- at specific
18 hours. Yes, sir.

19 ATTORNEY DAVID CONNER: All right.
20 Well, while we're talking about hours, let's go
21 ahead and set the hours themselves.

22 What are going to be the open and closing
23 hours for the -- for the center and that use?

24 COMMISSIONER BILLIE JO UNDERWOOD: It's
25 usually like 8:30 to 12:30, is generally -- But
26 most of them don't come until about 10:00, 10:30.
27 But --

28 MS. SUSAN BROADHEAD: But, again, our

1 food sometimes has to get in there at 6:30.

2 COMMISSIONER JOE DAVIS, III: Yeah.

3 Because --

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: Okay.

6 COMMISSIONER JOE DAVIS, III: --

7 they're --

8 MS. SUSAN BROADHEAD: So -- so just

9 remember --

10 MS. KELLY CHILDRESS: Somebody will have
11 to be there. Yeah.

12 MS. SUSAN BROADHEAD: Remember, if
13 y'all --

14 COMMISSIONER JOE DAVIS, III: Yeah.

15 MS. SUSAN BROADHEAD: Y'all would
16 either --

17 COMMISSIONER JOE DAVIS, III: One
18 person --

19 MS. KELLY CHILDRESS: Yeah.

20 MS. SUSAN BROADHEAD: Y'all would either
21 have to allow our vendor currently with the State
22 to have access to that building by giving them a
23 key or allow someone --

24 MS. KELLY CHILDRESS: The Center
25 Manager --

26 MS. SUSAN BROADHEAD: -- on staff, the
27 Center Manager be able to be in that building
28 before --

1 COMMISSIONER JOE DAVIS, III: Yeah.

2 MS. SUSAN BROADHEAD: -- but I don't
3 have the specific time. And that can change
4 against my whim. They change it according to
5 what works for them logistically. So they could
6 be in there as early as 6:30.

7 COMMISSIONER JAMES E. (JEB) BALL: We
8 got a lockbox on that door?

9 MS. KELLY CHILDRESS: We do not.

10 COMMISSIONER BILLIE JO UNDERWOOD: What
11 happens at Loxley? Like what time does the
12 person --

13 MS. SUSAN BROADHEAD: They come -- they
14 come more like 8:30ish.

15 COMMISSIONER BILLIE JO UNDERWOOD: I'm
16 talking about --

17 MS. SUSAN BROADHEAD: 8:00, 8:30.

18 COMMISSIONER BILLIE JO UNDERWOOD: --
19 what --

20 MS. SUSAN BROADHEAD: But, again,
21 they're closer to the production unit at
22 Stockton.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)
24 GRUBER: Uh-huh. (Indicates affirmatively.)

25 MS. SUSAN BROADHEAD: And they're going
26 north. Most cases, they'll probably go north, so
27 they'll probably be the first drop-off.

28 ATTORNEY DAVID CONNER: What if you said

1 staff 6:30, open to the public at 8:30?

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: Okay.

4 ATTORNEY DAVID CONNER: Staff and --
5 staff and contractors.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: Uh-huh. (Indicates affirmatively.)

8 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

9 ATTORNEY DAVID CONNER: Does that work?

10 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: That'll work for me.

13 ATTORNEY DAVID CONNER: All right.

14 So --

15 COMMISSIONER JOE DAVIS, III: So at 8:30
16 we're serving a meal then?

17 COMMISSIONER BILLIE JO UNDERWOOD: No.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)

19 GRUBER: No. No.

20 MS. KELLY CHILDRESS: No. No.

21 COMMISSIONER JOE DAVIS, III: We're
22 serving a lunch?

23 COMMISSIONER BILLIE JO UNDERWOOD: It's
24 a lunch. But they come in --

25 COMMISSIONER JOE DAVIS, III: It's for
26 activities?

27 COMMISSIONER BILLIE JO UNDERWOOD: --
28 and they play --

1 COMMISSIONER JOE DAVIS, III: I see.

2 COMMISSIONER BILLIE JO UNDERWOOD: --

3 play games and do things.

4 MS. KELLY CHILDRESS: Right.

5 ATTORNEY DAVID CONNER: So --

6 COMMISSIONER JOE DAVIS, III: We want to
7 make sure that they understand it, the customer,
8 so to speak.

9 MS. SUSAN BROADHEAD: The -- the
10 S.A.I.L. Center, they -- the State wants us open
11 four hours. That involves -- Seniors for
12 Activities for Independent Living is what
13 S.A.I.L. stands for.

14 So, yes, the food gets them in the door,
15 which we usually serve around 11:00, 11:30,
16 12:00, depending on what that community desires.

17 But with them coming in at 8:30 or 9:00,
18 whatever time y'all want operation to begin, it's
19 really to try to get them in for activities and
20 get them in and giving them somewhere to be for a
21 few hours.

22 ATTORNEY DAVID CONNER: All right. So
23 operation at 8:30 so far. What time do y'all
24 want to close?

25 COMMISSIONER BILLIE JO UNDERWOOD:
26 12:30.

27 ATTORNEY DAVID CONNER: 12:30? Does
28 that give everybody time to --

1 MR. LESLEY WILLIAMS: That's four hours.

2 MS. SUSAN BROADHEAD: That's --

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: One o'clock?

5 MS. SUSAN BROADHEAD: As long as --

6 COMMISSIONER BILLIE JO UNDERWOOD:

7 They --

8 MS. SUSAN BROADHEAD: As long as that
9 works for them.

10 COMMISSIONER BILLIE JO UNDERWOOD: My
11 experience is they like to eat about eleven
12 o'clock.

13 MS. KELLY CHILDRESS: Yeah.

14 MS. SUSAN BROADHEAD: But you also have
15 to --

16 COMMISSIONER BILLIE JO UNDERWOOD: They
17 can start serving at 10:20.

18 MS. SUSAN BROADHEAD: -- remember staff
19 may need to clean up. They may need to --

20 ATTORNEY DAVID CONNER: Yeah.

21 MS. SUSAN BROADHEAD: -- clean after the
22 public leaves.

23 COMMISSIONER JOE DAVIS, III: Yeah.

24 I've got folks --

25 MS. SUSAN BROADHEAD: So they may close
26 at 12:30, but they may need to be in there for
27 another hour or so just to --

28 MR. LESLEY WILLIAMS: Yeah. I --

1 MS. SUSAN BROADHEAD: -- get stuff taken
2 care of --

3 MR. LESLEY WILLIAMS: -- will handle
4 that, yeah.

5 MS. SUSAN BROADHEAD: -- when they're --

6 MR. LESLEY WILLIAMS: So the four hours
7 for the -- the -- the seniors would be 8:30 to
8 12:30. But we'd like an additional hour with
9 that --

10 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
11 To 1:30.

12 MR. LESLEY WILLIAMS: -- to have the
13 Center prepared --

14 COMMISSIONER BILLIE JO UNDERWOOD: So
15 1:30 --

16 MR. LESLEY WILLIAMS: -- for the --

17 COMMISSIONER BILLIE JO UNDERWOOD: --
18 for staff.

19 ATTORNEY DAVID CONNER: 1:30 for staff.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)
21 GRUBER: Okay.

22 COMMISSIONER BILLIE JO UNDERWOOD: Staff
23 can be 6:30 to 1:30.

24 ATTORNEY DAVID CONNER: Okay.

25 COMMISSIONER BILLIE JO UNDERWOOD: And
26 seniors -- anyone other than staff --

27 MR. LESLEY WILLIAMS: 8:30 to 12:30.

28 COMMISSIONER BILLIE JO UNDERWOOD: --

1 8:30 to 12:30.

2 MS. KELLY CHILDRESS: Yeah.

3 COMMISSIONER BILLIE JO UNDERWOOD: And
4 my experience is the seniors are done with lunch
5 before 12:00.

6 MS. KELLY CHILDRESS: Right.

7 MS. SUSAN BROADHEAD: Yeah.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP)

9 GRUBER: Yeah.

10 MS. KELLY CHILDRESS: Well, there are
11 seniors that will have to figure out our
12 transportation to get the seniors back to and
13 from. And they have to have a --

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)

15 GRUBER: Uh-huh. (Indicates affirmatively.)

16 MS. KELLY CHILDRESS: -- specific time
17 to leave.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)

19 GRUBER: Yeah.

20 MS. KELLY CHILDRESS: So --

21 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

22 MS. KELLY CHILDRESS: -- we'll work it
23 out.

24 COMMISSIONER BILLIE JO UNDERWOOD: All
25 right.

26 ATTORNEY DAVID CONNER: On the rest of
27 that page, it says they're required to comply
28 with all applicable laws, rules, and regulations,

1 including regulations related to the programs
2 that they're offering.

3 When you go to the next page, on 1.2, they're
4 responsible for the safety of all employees,
5 invitees, customers, and guests at the leased
6 premises. And they're also required to comply
7 with all terms and conditions of the agreement.

8 And, Number 2, this is set up for a
9 thirty-six (36) month term. If y'all want it to
10 be shorter than that, you can. I will tell you
11 that I have put a provision in there that stated
12 that it can be terminated for any reason or no
13 reason at all by the County Commission,
14 regardless of what the term is.

15 COMMISSIONER JOE DAVIS, III: Okay.

16 COMMISSIONER BILLIE JO UNDERWOOD:

17 That's fine.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)

19 GRUBER: Okay.

20 ATTORNEY DAVID CONNER: Okay.

21 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

22 ATTORNEY DAVID CONNER: All right. So
23 we can have it for three years. And then we'll
24 pick us a start date.

25 3.1, it's my understanding that the rent is
26 supposed to be rent free.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: Uh-huh. (Indicates affirmatively.)

1 ATTORNEY DAVID CONNER: That doesn't
2 mean it's free. It just means it's rent free.
3 So what I mean by that is that they have to
4 perform. They have to do certain things. They
5 have to live by the guidelines.

6 COMMISSIONER BILLIE JO UNDERWOOD: They
7 have to comply by the agreement.

8 ATTORNEY DAVID CONNER: I'm sorry?

9 COMMISSION CHAIRMAN CHARLES F. (SKIP)

10 GRUBER: They have to comply --

11 COMMISSIONER BILLIE JO UNDERWOOD: They
12 have to comply --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)

14 GRUBER: -- by the agreement.

15 COMMISSIONER BILLIE JO UNDERWOOD: -- by
16 the agreement.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP)

18 GRUBER: Yes.

19 ATTORNEY DAVID CONNER: All right. So
20 3.2 is the provision that we had in Pathway,
21 which was a private entity taking over the
22 building and running it, et cetera.

23 And we required them to post a performance
24 bond to guarantee that they would do whatever
25 they said they would do. That performance bond
26 was either fifty (\$50,000) or a hundred thousand
27 dollars (\$100,000). I don't remember what it
28 was.

1 The question is here do y'all want to have
2 any type of performance bond, even if it's a
3 small amount, or a letter of credit to make sure
4 that they do what they're supposed to do; and if
5 they don't, that there's money there that's
6 available?

7 The only reason I bring that up is because we
8 want to talk about for both -- both facilities.
9 And we don't know how many other times we're
10 going to do this in the future.

11 And a lot of times when you do it on a
12 501(c)(3), they're operating on a very small
13 margin. And so at the end of the lease when
14 everybody leaves and everybody says it's done and
15 there's work to be done, do y'all want to make
16 sure there's some money set aside to do repairs
17 or things that would be their responsibility?

18 COMMISSIONER JAMES E. (JEB) BALL: If
19 I'm not mistaken, a 501(c)(3) has to have a bond;
20 right, Billie Jo?

21 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.
22 But not for this.

23 ATTORNEY DAVID CONNER: Yeah. This is
24 something --

25 COMMISSIONER BILLIE JO UNDERWOOD: This
26 is -- this is for like the repairs and stuff for
27 the building.

28 ATTORNEY DAVID CONNER: This is --

1 COMMISSION CHAIRMAN CHARLES F. (SKIP)

2 GRUBER: Well, that's our --

3 ATTORNEY DAVID CONNER: -- something --

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: -- responsibility anyway.

6 COMMISSIONER BILLIE JO UNDERWOOD: So
7 we're already --

8 COMMISSIONER JOE DAVIS, III: Isn't that
9 ours?

10 COMMISSIONER BILLIE JO UNDERWOOD: --
11 doing that. I think we --

12 ATTORNEY DAVID CONNER: Well, we --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)

14 GRUBER: Yeah. That's ours. That's our --

15 ATTORNEY DAVID CONNER: The only -- the
16 only caveat to that is --

17 COMMISSION CHAIRMAN CHARLES F. (SKIP)

18 GRUBER: Unless it's --

19 ATTORNEY DAVID CONNER: -- I put a
20 provision in here that if they intentionally --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)

22 GRUBER: Oh.

23 ATTORNEY DAVID CONNER: -- or their
24 invitees destroy or --

25 COMMISSIONER BILLIE JO UNDERWOOD:
26 Destroy the building.

27 ATTORNEY DAVID CONNER: -- do damage to
28 it that's beyond a reasonable --

1 COMMISSIONER BILLIE JO UNDERWOOD:

2 Upon --

3 ATTORNEY DAVID CONNER: -- wear and
4 tear --

5 COMMISSIONER BILLIE JO UNDERWOOD:
6 Right.

7 ATTORNEY DAVID CONNER: -- then --

8 COMMISSIONER BILLIE JO UNDERWOOD: The
9 day they leave, they --

10 ATTORNEY DAVID CONNER: Beyond
11 reasonable wear and tear, then we require them to
12 put that back.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)
14 GRUBER: Okay.

15 ATTORNEY DAVID CONNER: Again, it should
16 be small numbers. But the question is, do y'all
17 want to include that, or do y'all just want to
18 take that risk? It's up to you.

19 COMMISSIONER BILLIE JO UNDERWOOD: What
20 kind of an expense and cost is incurred to get
21 like just a small bond, like fifty thousand
22 (\$50,000) or something?

23 ATTORNEY DAVID CONNER: You know, I --

24 COMMISSIONER BILLIE JO UNDERWOOD: I --

25 ATTORNEY DAVID CONNER: I don't know the
26 answer to that at the moment. But mainly --
27 mainly they put a -- a -- it could either be a
28 bond, a letter of credit, or even -- even cash

1 money, which they probably don't have as a
2 501(c)(3).

3 But I -- you know, I'm not sure if fifty
4 thousand dollars (\$50,000) is the right number.
5 I was kind of thinking more along the lines of
6 ten (\$10,000) --

7 COMMISSIONER BILLIE JO UNDERWOOD: Ten
8 thousand (\$10,000).

9 COMMISSION CHAIRMAN CHARLES F. (SKIP)
10 GRUBER: Uh-huh. (Indicates affirmatively.)

11 ATTORNEY DAVID CONNER: -- fifteen
12 (%15,000), something like that, that would cover
13 the cost of -- let's say a bunch of sheetrock got
14 broken out or -- or different things had to be
15 done.

16 COMMISSIONER BILLIE JO UNDERWOOD:
17 Leave --

18 ATTORNEY DAVID CONNER: That --

19 COMMISSIONER BILLIE JO UNDERWOOD: Leave
20 rotten food in the sink.

21 ATTORNEY DAVID CONNER: You know,
22 just -- you know, things happen that aren't taken
23 care of the way they should at -- at any of these
24 facilities going forward, this one, the one we're
25 talking about there.

26 Again, if you want to assume that liability
27 expense -- You don't have to. I just wanted to
28 talk about it before I deleted it out. Because I

1 know y'all have seen it in other agreements that
2 we have done.

3 COMMISSIONER BILLIE JO UNDERWOOD: Will
4 we be regularly -- since we will do repairs and
5 stuff -- checking on the building? I mean, who
6 would be -- our maintenance people do that?

7 ATTORNEY DAVID CONNER: Yeah. We
8 reserve the right to do inspections.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP)

10 GRUBER: Uh-huh. (Indicates affirmatively.)

11 ATTORNEY DAVID CONNER: Yeah.

12 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)

14 GRUBER: Yeah. We --

15 COMMISSIONER JOE DAVIS, III: Not only
16 reserve the right, but I think you need to at
17 least quarterly have some of our maintenance
18 people go through. Because we can't ask the
19 Pastor and them to identify all the concerns.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)

21 GRUBER: Uh-huh. (Indicates affirmatively.)

22 COMMISSIONER JOE DAVIS, III: There may
23 be some other things Junius and some of his
24 people to make sure --

25 ATTORNEY DAVID CONNER: Right.

26 COMMISSIONER JOE DAVIS, III: -- to make
27 sure there was -- Because you -- If you can head
28 off those kind of things is where you can save

1 money.

2 ATTORNEY DAVID CONNER: Right.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: Yep. Okay.

5 ATTORNEY DAVID CONNER: So --

6 COMMISSIONER BILLIE JO UNDERWOOD: So do
7 we want --

8 ATTORNEY DAVID CONNER: -- do you want
9 to put -- Do you want to -- do you want to take
10 that provision out and just let the County run
11 that risk in this circumstance, or do y'all want
12 to put a -- a number in there that's a smaller
13 number?

14 COMMISSIONER BILLIE JO UNDERWOOD:
15 Well --

16 COMMISSIONER JOE DAVIS, III: I'm okay
17 with us taking the risk, so to speak. I mean,
18 we've got a new organization that we're doing
19 work with. And then three years from now if that
20 needs to be revisited, then -- That'd be my
21 personal --

22 ATTORNEY DAVID CONNER: And just for the
23 record, that doesn't mean that y'all aren't
24 responsible for those things.

25 MR. LESLEY WILLIAMS: I know.

26 ATTORNEY DAVID CONNER: It just means we
27 won't require you to put up a bond ahead of time.

28 MR. LESLEY WILLIAMS: I understand.

1 ATTORNEY DAVID CONNER: Okay. All
2 right. We'll take that out.

3 COMMISSIONER BILLIE JO UNDERWOOD:
4 That's like a rent deposit.

5 ATTORNEY DAVID CONNER: Right.

6 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

7 COMMISSIONER JOE DAVIS, III: Yeah, kind
8 of. Yeah. And we're trying to move this all
9 together with a new organization and a new way of
10 doing business.

11 ATTORNEY DAVID CONNER: All right.
12 Section 3.3 is the provision where we talked
13 about homebound delivery meals.

14 Kelly had mentioned that we need to define a
15 radius for the delivery of homebound meals,
16 because BRATS is going to be providing or may be
17 providing some services that relates to that. So
18 what would that radius be for that?

19 MS. KELLY CHILDRESS: We're thinking
20 maybe, Matthew, around five (5) is what we're --
21 we were working on, around a five (5) mile
22 radius.

23 ATTORNEY DAVID CONNER: A five (5) mile
24 radius from the leased premises?

25 MR. MATTHEW BROWN: And we would
26 actually like to do five (5) route miles or trip
27 miles instead of just so as the crow flies. So
28 what we would -- we would -- we would schedule

1 that in our -- our software, and it will tell us
2 that trip distance. And that should keep us in
3 terms of what our actual travel distance would
4 be.

5 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
6 Okay.

7 ATTORNEY DAVID CONNER: And then, again,
8 because this is a private entity that's running
9 this, I think the County's involvement has to be
10 able to be measured by what's happening at the
11 center.

12 So they're going to be running the whole
13 program. We're providing the building. And then
14 I put a provision in here that says the landlord
15 may provide assistance with deliveries by and
16 through the Baldwin Rural Area Transit System and
17 determined by the landlord in its discretion.

18 I think because we're involving other
19 agencies than just the building, you-all need to
20 have the ultimate decision-making about whether
21 you continue that service or how much you do it,
22 those kind of things with warning to -- to work
23 it out.

24 But my understanding is that's what y'all
25 plan to do at the moment. But depending on how
26 it works out, you need to have the ability to be
27 flexible in your determination.

28 COMMISSIONER JOE DAVIS, III: And,

1 Mr. Chairman, I would hope that we would allow
2 Reverend Williams to look at and determine, based
3 on his local knowledge --

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: Uh-huh. (Indicates affirmatively.)

6 COMMISSIONER JOE DAVIS, III: -- if that
7 mileage is -- does it need to be seven (7) or,
8 you know, if there's some particular group or
9 community nearby that you've got people that have
10 been utilizing it or might utilize it.

11 MR. LESLEY WILLIAMS: Kelly, isn't that
12 what we had?

13 MS. KELLY CHILDRESS: Yes.

14 MR. LESLEY WILLIAMS: It -- it was
15 the -- it was --

16 MS. KELLY CHILDRESS: Well, that -- We
17 never had to go -- We never went over a
18 certain -- And I -- I'm not going to say I know
19 the radius.

20 MR. LESLEY WILLIAMS: Uh-huh.
21 (Indicates affirmatively.)

22 MS. KELLY CHILDRESS: But it wasn't far.
23 I've ran the route many times.

24 MR. LESLEY WILLIAMS: Okay.

25 MS. KELLY CHILDRESS: Because of the
26 severity of having those meals in that hotbox for
27 that amount of time --

28 MR. LESLEY WILLIAMS: Time.

1 COMMISSION CHAIRMAN CHARLES F. (SKIP)

2 GRUBER: Uh-huh. (Indicates affirmatively.)

3 MS. KELLY CHILDRESS: -- from the time
4 you dip it from the time you put it in those
5 people's hands. So --

6 MR. LESLEY WILLIAMS: Yeah.

7 MS. KELLY CHILDRESS: -- you've got to
8 watch that control there.

9 MR. LESLEY WILLIAMS: Okay.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: Yeah. All right.

12 ATTORNEY DAVID CONNER: The way that the
13 agreement is drafted, as I understand, the County
14 is going to be responsible for all maintenance
15 for the building.

16 We did put a provision in there that says
17 that any damages caused by the tenant or
18 invitees, they're required to repair that.

19 And then it also states that they're
20 responsible for the cleanliness, operation, and
21 everything of the interior of the building.

22 MR. LESLEY WILLIAMS: Yes, sir.

23 ATTORNEY DAVID CONNER: And so it also
24 gives the authority to do improvements to the
25 building, but only if they get written approval
26 from you to do it. If they decide there was some
27 other program they wanted to offer, something to
28 be done, it has to be done with your approval on

1 it.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: Uh-huh. (Indicates affirmatively.)

4 ATTORNEY DAVID CONNER: Utilities, the
5 way that's set up right now is it says the tenant
6 agrees to pay all bills incurred for electricity,
7 water, sewer, gas, et cetera. That was the way
8 we had it in the Pathway agreement.

9 Do y'all intend for them to pay for the
10 utilities, or is that something the County will
11 be paying for?

12 COMMISSIONER BILLIE JO UNDERWOOD: I
13 thought -- I --

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)

15 GRUBER: Huh?

16 COMMISSIONER BILLIE JO UNDERWOOD: I
17 thought we were paying for it.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)

19 GRUBER: We were. I thought we were paying.
20 We --

21 COMMISSIONER JOE DAVIS, III: That --

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)

23 GRUBER: I think we --

24 MR. WAYNE DYESS: We discussed it at a
25 work session.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)

27 GRUBER: -- agreed to pay for all that.

28 MR. WAYNE DYESS: Okay.

1 COMMISSIONER JOE DAVIS, III: Yeah.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: Yeah.

4 ATTORNEY DAVID CONNER: The County is
5 going to pay for the utilities, so I'll change
6 that. Was there something you raised about that,
7 Kelly, that you had --

8 MS. KELLY CHILDRESS: I just asked that
9 same question.

10 ATTORNEY DAVID CONNER: So the --

11 MS. KELLY CHILDRESS: -- about the --

12 ATTORNEY DAVID CONNER: The County will
13 do it. Okay.

14 MS. SUSAN BROADHEAD: Will that include
15 pest control, too?

16 ATTORNEY DAVID CONNER: Include what?
17 I'm sorry.

18 MS. SUSAN BROADHEAD: Pest control.

19 COMMISSION CHAIRMAN CHARLES F. (SKIP)

20 GRUBER: That's -- Yeah.

21 COMMISSIONER BILLIE JO UNDERWOOD:
22 Right. Yeah.

23 COMMISSIONER JAMES E. (JEB) BALL: Well,
24 it's a County facility.

25 COMMISSIONER BILLIE JO UNDERWOOD:
26 That's --

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: Yeah.

1 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.
2 That's part of maintenance.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: It's part of maintenance.

5 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: I mean, that's just --

8 COMMISSIONER BILLIE JO UNDERWOOD: We've
9 got to have that.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: -- you know, keeping the --

12 ATTORNEY DAVID CONNER: And I'll make
13 sure --

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)

15 GRUBER: -- keeping the pests, you know --

16 ATTORNEY DAVID CONNER: -- that's clear.
17 Because the other group --

18 COMMISSIONER JOE DAVIS, III: We should
19 have that on all of our --

20 ATTORNEY DAVID CONNER: So that --

21 COMMISSIONER JAMES E. (JEB) BALL: So
22 that will read "landlord" instead of "tenant"
23 right there.

24 ATTORNEY DAVID CONNER: That's correct.
25 And there's some other provisions where we've
26 had -- we have had the tenant be responsible for
27 things like fire extinguishers and pest control.
28 But I'm going to switch that over to us --

1 COMMISSIONER JOE DAVIS, III: Right.

2 ATTORNEY DAVID CONNER: -- which means
3 we will have to do those inspections that you're
4 talking about.

5 COMMISSIONER JOE DAVIS, III: That's
6 fine.

7 MS. KELLY CHILDRESS: And we do not have
8 internet there.

9 ATTORNEY DAVID CONNER: No internet?

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: Huh-uh. (Indicates negatively.)

12 MS. KELLY CHILDRESS: No internet there.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)

14 GRUBER: No.

15 COMMISSIONER JOE DAVIS, III: All right.
16 Is there any --

17 ATTORNEY DAVID CONNER: We're going to
18 provide the phone and everything else; right?

19 COMMISSIONER JOE DAVIS, III: Is there
20 any plan --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)

22 GRUBER: We've got the phone.

23 COMMISSIONER JOE DAVIS, III: -- or
24 thoughts, are they in an area that is appropriate
25 for us to try to address it?

26 MS. KELLY CHILDRESS: There were issues.
27 We had to get the -- the internet services there.
28 And so with the previous Center Manager, it was

1 easier for her just -- for us to help her with
2 her paperwork and that sort of thing. So we
3 didn't get any internet services there.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: No.

6 MS. KELLY CHILDRESS: Now, could there
7 be? Probably.

8 COMMISSIONER JOE DAVIS, III: And would
9 there be activities somewhere in the future for
10 the -- for the seniors that might need or require
11 that?

12 MR. LESLEY WILLIAMS: Well, we have
13 to -- we've got to file -- file paperwork, I
14 think --

15 MS. KELLY CHILDRESS: Uh-huh.
16 (Indicates affirmatively.)

17 MR. LESLEY WILLIAMS: -- sending off
18 documents. So the internet will be necessary.

19 MS. SUSAN BROADHEAD: Right.

20 COMMISSIONER JOE DAVIS, III: Yeah.

21 MS. SUSAN BROADHEAD: Yeah.

22 COMMISSIONER JOE DAVIS, III: I would
23 think so.

24 COMMISSIONER JAMES E. (JEB) BALL: Well,
25 Brian, what are we looking at with that?

26 COMMISSIONER JOE DAVIS, III: Yeah.
27 It's what's next, you know.

28 MR. BRIAN PEACOCK: That would be --

1 have to be handled by a third-party through AT&T
2 or --

3 COMMISSIONER BILLIE JO UNDERWOOD: Hot
4 spot.

5 MR. BRIAN PEACOCK: -- you know, in that
6 area.

7 COMMISSIONER BILLIE JO UNDERWOOD: Hot
8 spot or something.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP)
10 GRUBER: Yeah.

11 MS. SUSAN BROADHEAD: And -- and part of
12 our contract is helping them with phone and
13 internet services.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)
15 GRUBER: Okay.

16 MS. SUSAN BROADHEAD: That is part of
17 our contract.

18 MR. LESLEY WILLIAMS: Okay.

19 MS. SUSAN BROADHEAD: So we -- we took
20 that responsibility to help them --

21 MS. KELLY CHILDRESS: Okay.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)
23 GRUBER: Okay.

24 MS. SUSAN BROADHEAD: -- set that up.

25 COMMISSIONER JOE DAVIS, III: Yeah.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)
27 GRUBER: Y'all set it up. Okay.

28 ATTORNEY DAVID CONNER: That -- that is

1 a good question. So, utilitywise, what will
2 SARPC be covering?

3 MS. SUSAN BROADHEAD: The -- the only
4 thing that we said in our contract was the
5 internet and phone.

6 COMMISSIONER JAMES E. (JEB) BALL:
7 Internet and phone.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP)
9 GRUBER: Okay.

10 MR. LESLEY WILLIAMS: Good.

11 ATTORNEY DAVID CONNER: All right.
12 Okay. I'm going to take the internet and phone
13 provision out of here from the landlord's side.

14 MR. LESLEY WILLIAMS: Okay.

15 MS. SUSAN BROADHEAD: As long as, you
16 know, they -- they can contact AT&T and get all
17 that set up and go back through the building.

18 MR. LESLEY WILLIAMS: Yeah. We've --

19 COMMISSION CHAIRMAN CHARLES F. (SKIP)
20 GRUBER: Yeah.

21 MR. LESLEY WILLIAMS: Yeah. We've
22 already reached out to a company.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: Okay.

25 COMMISSIONER JOE DAVIS, III: Good.

26 ATTORNEY DAVID CONNER: All right.

27 Section 6.1 is an indemnity language that we've
28 had in other documents as it relates to

1 warranties, limitations of liabilities, and their
2 obligation to indemnify and hold the County
3 harmless for activities related to this program.

4 Section 6.2 requires them to have a minimum
5 of a million dollars (\$1,000,000) of general
6 liability insurance coverage.

7 Do y'all have that, Reverend?

8 MR. LESLEY WILLIAMS: We don't. But
9 it's just waiting for us to go up --

10 ATTORNEY DAVID CONNER: Okay.

11 MR. LESLEY WILLIAMS: -- and sign.
12 We've already got with Lionel in Bay Minette.

13 ATTORNEY DAVID CONNER: Okay.

14 MR. LESLEY WILLIAMS: And so he's got a
15 company that's ready for us. We were just
16 waiting on this to take place.

17 ATTORNEY DAVID CONNER: All right.

18 COMMISSION CHAIRMAN CHARLES F. (SKIP)
19 GRUBER: Okay.

20 ATTORNEY DAVID CONNER: The County will
21 be responsible for insuring the building. The
22 tenant will be responsible for insuring its own
23 contents, its own issues as set forth in the
24 document.

25 So you'll have to obtain -- obtain your own
26 insurance for anything that you want to insure
27 inside the building.

28 MR. LESLEY WILLIAMS: I understand.

1 COMMISSIONER BILLIE JO UNDERWOOD: But
2 like if somebody gets hurt there, their insurance
3 covers that; right?

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: Uh-huh. (Indicates affirmatively.)

6 ATTORNEY DAVID CONNER: Well, they'll --
7 they'll have a million dollars (\$1,000,000) --

8 COMMISSIONER BILLIE JO UNDERWOOD:
9 That's got -- that's got --

10 ATTORNEY DAVID CONNER: -- coverage.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Yep.

13 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

14 ATTORNEY DAVID CONNER: They're supposed
15 to name us as an additional insured.

16 COMMISSIONER BILLIE JO UNDERWOOD: Got
17 you.

18 ATTORNEY DAVID CONNER: And then our
19 county should also -- our -- our insurance -- We
20 need to make sure that covers us as well as it
21 should.

22 COMMISSIONER JAMES E. (JEB) BALL:
23 Uh-huh. (Indicates affirmatively.) It's called
24 a slip-and-fall policy.

25 ATTORNEY DAVID CONNER: Section 7 talks
26 about --

27 COMMISSIONER JOE DAVIS, III: Yeah.

28 ATTORNEY DAVID CONNER: -- the loss of

1 the building. If the building gets destroyed or
2 whatever, you all get to decide whether or not
3 you want to build it back, because it's your
4 money building it back under the insurance.

5 And again, also, in addition to that,
6 remember, there's always the language that you
7 have the right to terminate it on notice at any
8 point in time.

9 I also put a provision in there about
10 imminent domain, if somebody was to try and come
11 take a part of it.

12 And we've had a provision regarding default
13 and remedies available upon default. Basically
14 they -- if they don't perform the terms of the
15 lease agreement, if they breach any of the terms,
16 and then the remedies would be to cancel, to
17 demand immediate possession.

18 Also, to market it or sell it to someone
19 else, you have the authority to do that, if you
20 decide you need to do that, or to seek any other
21 remedies available under the law and equity.

22 In the event that you have to pursue this
23 matter, we do have a provision that says if you
24 have to pursue it, you're able to collect
25 attorney fees and costs and expenses.

26 We have access to all records that we need to
27 at any point in time to ensure compliance with
28 the lease. It cannot be assigned without your

1 consent.

2 And then holding over, Section 16, once the
3 lease is over or expires or is terminated,
4 they're required to turn over possession to you.

5 Sometimes, for whatever reasons, people don't
6 vacant the premises the way that they should. I
7 don't think that y'all would do that. But,
8 again, this is the first of maybe many around the
9 county.

10 And so what you normally do is you -- you say
11 that they'll continue to pay rent. But in this
12 case, they don't pay rent. And so I've written
13 in a provision. I -- I had it. It was there.
14 But I've modified it a little bit.

15 And it basically says if they holdover that,
16 they pay fifteen hundred dollars (\$1500) a month
17 in rent for the time they holdover.

18 Are y'all okay with that as being kind of a
19 hammer out there, that they've got to start
20 paying rent during the time of the holdover, or
21 do you just want to stay away from that?

22 It just encourages people to -- You know,
23 it's one thing to -- it's one thing to say you've
24 got to get out of the building and you owe me
25 fifteen hundred dollars (\$1500) a month for every
26 month you stay.

27 It's another thing to say -- when you're
28 giving it to them rent free. And you say, you

1 have to pay the same rent you paid before, which
2 is nothing.

3 MR. WAYNE DYESS: Uh-huh. (Indicates
4 affirmatively.)

5 ATTORNEY DAVID CONNER: That's not much
6 of an incentive there.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: You want to --

9 ATTORNEY DAVID CONNER: So that's why I
10 tried to write that in. Are y'all comfortable
11 with that? Is that something y'all want to
12 include, or do you just want to stay away from
13 that?

14 COMMISSIONER JAMES E. (JEB) BALL:
15 That's fine.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP)

17 GRUBER: Okay.

18 COMMISSIONER BILLIE JO UNDERWOOD:
19 I'm -- I'm --

20 COMMISSIONER JOE DAVIS, III: Tell me
21 again. We would need this if --

22 ATTORNEY DAVID CONNER: Let's say that
23 at the end of the term --

24 COMMISSIONER JOE DAVIS, III: -- the
25 agreement was terminated by either party.

26 ATTORNEY DAVID CONNER: Either party.
27 And, for whatever reason, they just didn't leave.
28 They just didn't leave possession. People are

1 still going there. They just didn't leave.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: Uh-huh. (Indicates affirmatively.)

4 COMMISSIONER JOE DAVIS, III: Well,
5 isn't that when you change the locks and get the
6 attorneys involved?

7 COMMISSIONER BILLIE JO UNDERWOOD: Is
8 that --

9 COMMISSIONER JOE DAVIS, III: I mean,
10 that's what happens in the real world --

11 ATTORNEY DAVID CONNER: You can't --

12 COMMISSIONER BILLIE JO UNDERWOOD: What
13 do you suggest?

14 COMMISSIONER JOE DAVIS, III: -- I
15 think.

16 ATTORNEY DAVID CONNER: I -- I just put
17 that in there as a -- as a possibility, as kind
18 of a hammer to make people do what they're
19 supposed to do.

20 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

21 ATTORNEY DAVID CONNER: You have all the
22 other -- y'all have all the -- all the other
23 rights and remedies to try and get them out.

24 COMMISSIONER BILLIE JO UNDERWOOD: But
25 that's --

26 ATTORNEY DAVID CONNER: But, again,
27 even -- Let's say we had to go through the
28 eviction process, because it's a lease. That

1 could take six (6) months.

2 COMMISSIONER BILLIE JO UNDERWOOD: That
3 can take a long time.

4 ATTORNEY DAVID CONNER: It takes six (6)
5 months.

6 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
7 I don't see a problem with putting that in there.

8 MR. LESLEY WILLIAMS: Okay.

9 COMMISSIONER JOE DAVIS, III: How did
10 you arrive at the fifteen hundred (\$1500) as the
11 amount?

12 ATTORNEY DAVID CONNER: Pulled it out of
13 the sky --

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)
15 GRUBER: Okay.

16 COMMISSIONER JOE DAVIS, III: I was
17 curious.

18 ATTORNEY DAVID CONNER: -- just to be
19 perfectly honest. So if y'all think it needs to
20 be higher or lower -- I was just thinking that --
21 that type of building, I was just --

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)
23 GRUBER: Okay.

24 ATTORNEY DAVID CONNER: -- trying to
25 think of what it might be worth up there. At
26 least --

27 COMMISSIONER JOE DAVIS, III: Trying to
28 avoid whatever that amount is, the group would

1 merely have to get all their toys out --

2 ATTORNEY DAVID CONNER: Give us --

3 COMMISSIONER JOE DAVIS, III: -- and
4 turn the keys over to us.

5 ATTORNEY DAVID CONNER: Give it to us.

6 COMMISSIONER BILLIE JO UNDERWOOD: It's
7 just like you said. It's an --

8 COMMISSIONER JAMES E. (JEB) BALL: It'd
9 be like a --

10 COMMISSIONER BILLIE JO UNDERWOOD: --
11 incentive to go ahead and -- and -- and move.

12 ATTORNEY DAVID CONNER: And, again, if
13 y'all think it needs to be higher or lower,
14 whatever. I mean, I really just pulled it out.
15 It just seemed like a fair number.

16 COMMISSIONER BILLIE JO UNDERWOOD:
17 That's fair.

18 COMMISSIONER JAMES E. (JEB) BALL: Oh,
19 I'm going back. David, you skipped over taxes.
20 How does that -- It says the tenant shall pay all
21 the taxes, like property taxes and stuff like
22 that.

23 ATTORNEY DAVID CONNER: There -- there
24 shouldn't be any, I don't believe.

25 COMMISSIONER BILLIE JO UNDERWOOD:
26 Huh-uh. (Indicates negatively.)

27 COMMISSIONER JOE DAVIS, III: Huh-uh.
28 (Indicates negatively.)

1 ATTORNEY DAVID CONNER: Because we own
2 the property.

3 COMMISSIONER JAMES E. (JEB) BALL:
4 Right.

5 COMMISSIONER BILLIE JO UNDERWOOD: The
6 property --

7 ATTORNEY DAVID CONNER: The only thing
8 that I wondered about was whether or not -- And
9 it -- that's a Teddy question -- whether or not
10 because it is a private entity that's coming in
11 and doing business, whether or not their property
12 would be taxed --

13 COMMISSIONER JAMES E. (JEB) BALL: Good
14 question.

15 ATTORNEY DAVID CONNER: -- in any way.
16 And I just don't know the answer to that. So I
17 just put if any taxes are out there, they --

18 COMMISSIONER JAMES E. (JEB) BALL:
19 I'm -- I'm -- I'm just saying -- And Commissioner
20 Underwood can correct me if I'm wrong. I think
21 if you're a -- if you're a 501(c)(3), that that
22 personal property is exempt from that -- that law
23 where they --

24 COMMISSIONER BILLIE JO UNDERWOOD: Not
25 all 501(c)(3)'s.

26 ATTORNEY DAVID CONNER: No. It -- it
27 depends on -- it --

28 COMMISSIONER BILLIE JO UNDERWOOD: No.

1 It depends on the type. Like you're --
2 they're -- If you're not for profit -- Let's use
3 that terminology rather than the --

4 ATTORNEY DAVID CONNER: Right.

5 COMMISSIONER BILLIE JO UNDERWOOD: --
6 501(c)(3).

7 COMMISSIONER JOE DAVIS, III: That's a
8 specific type.

9 COMMISSIONER BILLIE JO UNDERWOOD:
10 That's what we're saying, is that churches,
11 different --

12 ATTORNEY DAVID CONNER: Right.

13 COMMISSIONER BILLIE JO UNDERWOOD: --
14 people like that, there are -- and there are
15 actually -- farmers are exempt from personal
16 property.

17 ATTORNEY DAVID CONNER: I think that
18 would be --

19 COMMISSIONER BILLIE JO UNDERWOOD:
20 But --

21 COMMISSIONER JOE DAVIS, III: Yeah.
22 I --

23 COMMISSIONER BILLIE JO UNDERWOOD: But I
24 think that --

25 ATTORNEY DAVID CONNER: I think --

26 COMMISSIONER BILLIE JO UNDERWOOD: --
27 that --

28 ATTORNEY DAVID CONNER: -- they're going

1 to be perfectly fine --

2 COMMISSIONER BILLIE JO UNDERWOOD: --

3 that would be up to --

4 ATTORNEY DAVID CONNER: -- exempt.

5 COMMISSIONER BILLIE JO UNDERWOOD: That
6 would be up to Personal Property Tax to exempt
7 them. But as far as putting it in there, that
8 alleviates us from having to worry about it.

9 ATTORNEY DAVID CONNER: That's the whole
10 reason.

11 COMMISSIONER JAMES E. (JEB) BALL: Okay.

12 ATTORNEY DAVID CONNER: If a number came
13 up that had to be paid, it just wouldn't be you.

14 COMMISSIONER BILLIE JO UNDERWOOD:
15 Right.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP)
17 GRUBER: Okay. All right.

18 ATTORNEY DAVID CONNER: And then
19 surrendering of possession, we talked about that.
20 Equipment and furnishings -- Internet service,
21 we're going to take out the part about the
22 internet service.

23 Lien on the leasehold, termination.
24 Notwithstanding anything to the contrary,
25 landlord shall have the right to terminate this
26 agreement with or without cause by giving thirty
27 (30) days written notice of such termination.
28 The notice shall be effective and delivered upon

1 the notice in the mail. So if we terminate,
2 they're going to have thirty (30) days.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)
4 GRUBER: Yeah.

5 ATTORNEY DAVID CONNER: If they don't
6 get out in thirty (30) days, that's when the --
7 we have the holdover issue that we're dealing
8 with.

9 COMMISSIONER JAMES E. (JEB) BALL: So is
10 this something that we're going to do on Tuesday?

11 COMMISSIONER BILLIE JO UNDERWOOD:
12 Uh-huh. (Indicates affirmatively.)

13 ATTORNEY DAVID CONNER: If -- if y'all
14 are --

15 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.
16 If we've got --

17 ATTORNEY DAVID CONNER: If y'all are
18 comfortable with it, yes.

19 COMMISSIONER BILLIE JO UNDERWOOD: So
20 you'll --

21 ATTORNEY DAVID CONNER: It's -- it's up
22 to you all.

23 COMMISSIONER BILLIE JO UNDERWOOD: --
24 put the revisions in there and then --

25 ATTORNEY DAVID CONNER: Right. I'll do
26 that. And I'll circulate that out to you guys
27 way ahead so you'll know.

28 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

1 All right.

2 ATTORNEY DAVID CONNER: But there was
3 some questions and answers I just couldn't -- I
4 didn't know how to fill in without --

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)
6 GRUBER: Okay.

7 ATTORNEY DAVID CONNER: -- talking to
8 you about it.

9 COMMISSIONER BILLIE JO UNDERWOOD:
10 Getting close.

11 COMMISSIONER JOE DAVIS, III: Is this
12 the first time -- Reverend, is this the first
13 time you've seen this document?

14 MR. LESLEY WILLIAMS: It is, yes.

15 COMMISSIONER JOE DAVIS, III: Okay.

16 ATTORNEY DAVID CONNER: Well, we'll make
17 the changes and have that sent out to him
18 tomorrow so he can take a look.

19 COMMISSIONER JOE DAVIS, III: And -- and
20 if you see something that needs to be tweaked or
21 something, you can get with David.

22 MR. LESLEY WILLIAMS: Yes, sir.

23 ATTORNEY DAVID CONNER: I -- I tried to
24 write it in such a way that I felt like y'all
25 would be able to take it under the circumstances.

26 MR. LESLEY WILLIAMS: Yes, sir.

27 ATTORNEY DAVID CONNER: But if something
28 is out there that's problem to you --

1 MR. LESLEY WILLIAMS: Okay.
2 ATTORNEY DAVID CONNER: -- let us know.
3 MR. LESLEY WILLIAMS: Thank you.
4 COMMISSION CHAIRMAN CHARLES F. (SKIP)
5 GRUBER: Okay.
6 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
7 COMMISSION CHAIRMAN CHARLES F. (SKIP)
8 GRUBER: All right. Then it -- Does that sounds
9 good?
10 MR. LESLEY WILLIAMS: Sounds good.
11 Kelly, we'll get together.
12 COMMISSION CHAIRMAN CHARLES F. (SKIP)
13 GRUBER: Okay. Good.
14 MS. KELLY CHILDRESS: Yes.
15 MR. WAYNE DYESS: Consent, Mr. Chairman?
16 COMMISSION CHAIRMAN CHARLES F. (SKIP)
17 GRUBER: Will --
18 MR. WAYNE DYESS: Mr. Chairman, will be
19 this Consent?
20 COMMISSION CHAIRMAN CHARLES F. (SKIP)
21 GRUBER: This will be Consent with everyone?
22 COMMISSIONER BILLIE JO UNDERWOOD:
23 (Indicates affirmatively.)
24 COMMISSIONER JOE DAVIS, III: Yes.
25 COMMISSION CHAIRMAN CHARLES F. (SKIP)
26 GRUBER: Okay. Consent.
27

28 **L-1 - FISCAL YEAR 2019 EMERGENCY MANAGEMENT PERFORMANCE**

GRANT (EMPG) FEDERAL SHARE AGREEMENT

MR. WAYNE DYESS: Mr. Chairman, next we have Item L-1, which is a Fiscal Year 2019 EMA grant. And Ms. Danon Smith is here from EMA, Planning and Grants Coordinator.

MS. DANON SMITH: We're requesting that the Commission approve this emergency management performance grant agreement for the amount of sixty-five thousand, four hundred and fifty-one dollars (\$65,451) in Federal funds to support the local Emergency Management program and authorize the Chairman to execute any related documents.

COMMISSION CHAIRMAN CHARLES F. (SKIP) GRUBER: Okay. Consent?

COMMISSIONER JOE DAVIS, III: Yeah. I'm Consent.

COMMISSIONER JAMES E. (JEB) BALL: I'm fine.

COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

N-1 - BRATS DEPARTMENT - POSITION CHANGES

MR. WAYNE DYESS: Mr. Chairman, next we have personnel items. We have one item. Deidra is coming up. It's BRATS department changes.

MS. DEIDRA HANAK: Good morning.

COMMISSIONER JOE DAVIS, III: Good morning.

MS. DEIDRA HANAK: All right. So BRATS

1 has -- currently has two Driver Supervisors, and
2 they would like to take one of those Driver
3 Supervisors and downgrade it to a part-time
4 Driver Supervisor.

5 And Matt Brown is here if y'all have any
6 questions about that. It'll be a cost-savings
7 measure as well.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP)

9 GRUBER: Okay.

10 COMMISSIONER JAMES E. (JEB) BALL: I
11 have no problem with that. Consent.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP)

13 GRUBER: Consent?

14 COMMISSIONER JOE DAVIS, III: That's
15 fine with me.

16

17 **P-1 - BRATS - AMENDED GRANT DOCUMENTS FOR BALDWIN**

18 **REGIONAL AREA TRANSIT SYSTEM**

19 MR. WAYNE DYESS: Mr. Chairman, again,
20 the next item is under Administration. The first
21 three are BRATS. I'll ask Matthew to come up and
22 briefly go over the next three items, P-1 and P-2
23 and P-3.

24 MR. MATTHEW BROWN: Thank you,
25 Mr. Chairman, Commission. Item P-1 is a -- It's
26 not really retroactive. But these are
27 resolutions that were approved for our grant, and
28 then ALDOT asked us to make a -- kind of an

1 administrative or a clerical change on that.

2 And so those have been signed and sent back
3 up. But this is just y'all's recognition on that
4 to put it into the record.

5 There was no impact or any substantive change
6 to those actual resolutions. It's just --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: Okay.

9 MR. MATTHEW BROWN: -- the way they
10 wanted something phrased in there.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Okay. Consent?

13 COMMISSIONER BILLIE JO UNDERWOOD:
14 Consent.

15 COMMISSIONER JOE DAVIS, III: Consent.

16 COMMISSIONER JAMES E. (JEB) BALL:
17 Consent.

18

19 **P-2 - BRATS - REQUEST FOR BALDWIN REGIONAL AREA TRANSIT**
20 **SYSTEM TRANSIT SERVICE FROM DAPHNE SENIOR CENTER TO**
21 **BALDWIN COUNTY COLISEUM FOR THE 2019 SENIOR EXPO**

22 MR. MATTHEW BROWN: Item P-2 is a
23 request for BRATS transit service for the Daphne
24 Senior Center to the Baldwin County Coliseum for
25 the 2019 Senior Expo.

26 This falls within our program purpose. And I
27 do want to point out one thing on this. We have
28 now starting bringing all these special requests

1 before the Commission over the past six (6)
2 months. And they weren't aware.

3 This was -- Their trip is actually scheduled
4 before next week's regular meeting, so this will
5 be a retroactive approval, per se. But it is
6 within our program purpose.

7 It is a special trip request. And we kind of
8 wanted the Commission to know how many of these
9 are flowing in and make sure y'all are onboard
10 with us providing them.

11 COMMISSIONER JAMES E. (JEB) BALL:
12 Consent.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)
14 GRUBER: All right. Consent?

15 COMMISSIONER BILLIE JO UNDERWOOD:
16 Consent.

17

18 **P-3 - BRATS - REQUEST FOR BALDWIN REGIONAL AREA TRANSIT**
19 **SYSTEM TRANSIT SERVICE FROM THE FAIRHOPE HEALTH AND**
20 **REHAB FACILITY TO THE GRIMES FISH NURSERY IN STAPLETON,**
21 **ALABAMA**

22 MR. MATTHEW BROWN: Item P-3 is -- is
23 very similar. It's a request to move folks from
24 the Fairhope Health and Rehab Facility to the
25 Grimes Fish Nursery in Stapleton, Alabama; again,
26 within our program purpose, a special trip
27 request.

28 COMMISSIONER JAMES E. (JEB) BALL:

1 Consent.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: Consent.

4 COMMISSIONER BILLIE JO UNDERWOOD:

5 Consent.

6 MR. MATTHEW BROWN: That's all I have.

7 Thank you.

8 COMMISSIONER JOE DAVIS, III: Very good.

9 Thanks.

10 MR. WAYNE DYESS: Mr. Chairman -- Thank
11 you, Matthew.

12

13 **P-4 - RENEWAL OF GRANICUS SUBSCRIPTIONS FOR AGENDA**

14 **MANAGEMENT SOFTWARE**

15 MR. WAYNE DYESS: The next item is P-4.

16 This is the renewal of the Granicus subscription
17 for the agenda management software.

18 And the recommendation is to accept the
19 Granicus proposal and approve the renewal of the
20 annual Granicus fees and subscription for the
21 County's agenda management software effective
22 October 31st, 2019.

23 And I think Brian is here if you have any
24 questions on that. And, otherwise, we're asking
25 for approval.

26 COMMISSIONER JAMES E. (JEB) BALL:

27 Consent.

28 COMMISSIONER BILLIE JO UNDERWOOD:

1 Consent.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: Consent.

4 COMMISSIONER JOE DAVIS, III: Consent

5
6 **P-5 - RESOLUTION #2020-009 COMMENDING MS. PEGGY VANOVER**
7 **BARNES FOR YEARS OF DISTINGUISHED PUBLIC SERVICE AT THE**
8 **CINDY HABER CENTER, INC.**

9 MR. WAYNE DYESS: Mr. Chairman, the next
10 item is P -- P-5. This is Resolution 2020-009,
11 commending Ms. Peggy Vanover Barnes for her years
12 of distinguished public service at the Cindy
13 Haber Center, Incorporated, and the resolution to
14 adopt recognizing her service.

15 COMMISSIONER BILLIE JO UNDERWOOD:

16 That's a --

17 COMMISSION CHAIRMAN CHARLES F. (SKIP)

18 GRUBER: Consent?

19 COMMISSIONER BILLIE JO UNDERWOOD: --

20 presentation.

21 COMMISSIONER JAMES E. (JEB) BALL: Yeah.

22 A presentation.

23 COMMISSIONER JOE DAVIS, III: That's

24 right.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP)

26 GRUBER: So it'll be on the Presentation, yeah.

27 COMMISSIONER BILLIE JO UNDERWOOD: I

28 don't think we want a Consent on that one.

1 COMMISSION CHAIRMAN CHARLES F. (SKIP)

2 GRUBER: Yeah.

3

4 **Q-2 - APPOINTMENT OF COUNTY CONFLICT COUNSEL ATTORNEY**

5 MR. WAYNE DYESS: Mr. Chairman, we have
6 four quick addendums -- well, three quick --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: Okay.

9 MR. WAYNE DYESS: -- addendums. One may
10 be a little bit longer. If I could go through
11 those real quickly.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP)

13 GRUBER: Okay.

14 MR. WAYNE DYESS: The first one is
15 regarding conflict counsel. In speaking with
16 Brad Hicks, he suggests that we contract with
17 Liam Scully for conflict counsel. And so if --
18 if -- With you're approval, we'll have it on the
19 agenda for approval Tuesday.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)

21 GRUBER: That's fine. That's fine with me.

22 COMMISSIONER JAMES E. (JEB) BALL: Okay.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: Do y'all have any --

25 COMMISSIONER JOE DAVIS, III: I'm fine.

26 COMMISSIONER JAMES E. (JEB) BALL: I
27 don't have any questions.

28 COMMISSIONER JOE DAVIS, III: No.

1 COMMISSION CHAIRMAN CHARLES F. (SKIP)

2 GRUBER: Okay.

3 COMMISSIONER JOE DAVIS, III: I'm fine.

4 Okay.

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)

6 GRUBER: All right.

7 COMMISSIONER BILLIE JO UNDERWOOD: I may
8 have some questions before then.

9 COMMISSIONER JOE DAVIS, III: Okay.

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: Okay.

12 COMMISSIONER BILLIE JO UNDERWOOD: So I
13 don't want to put it on Consent.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)

15 GRUBER: Okay.

16 COMMISSIONER JOE DAVIS, III: You --

17 COMMISSION CHAIRMAN CHARLES F. (SKIP)

18 GRUBER: Just put it on Other Staff then.

19

20 **Q-3 - SENIOR VOLUNTEER PROGRAM**

21 MR. WAYNE DYESS: The next addendum is
22 senior volunteer program. Currently -- And,
23 Sherry-Lea, do you want to come up and speak
24 about that? Because, currently, we -- Kelly
25 Childress is using the senior volunteer program
26 in her -- at Council on Aging.

27 But we have noticed a potential need in the
28 courthouses -- I know in Central Annex and also

1 in Fairhope -- where we -- people are coming in
2 not knowing where to go.

3 Our -- our goal is to have a location for a
4 senior volunteer to be a greeter, like the
5 hospital, when you go to the hospital. And I'll
6 let Sherry-Lea elaborate a little more on what we
7 hope that this could do for us.

8 MS. SHERRY-LEA BLOODWORTH BOTOP: So
9 this is a program through SARPC where SARPC
10 allows us to hire seniors. And we call it a
11 volunteer program, but it's actually -- They call
12 it a training program.

13 So for the cost to the County for -- it's one
14 thousand, fifty dollars (\$1,050) that we invest
15 for each senior. They can serve in a capacity as
16 an information volunteer for us for
17 forty-two (42) months. The idea is that they get
18 training, and then they're hired on either with
19 us or somewhere else.

20 But it's really a way to get seniors involved
21 and get them, you know, out in the public
22 socializing. And it serves a need for us. SARPC
23 already does this. I mean, not SARPC. They do
24 it, too.

25 COMMISSIONER JAMES E. (JEB) BALL:
26 Council on Aging.

27 MS. SHERRY-LEA BLOODWORTH BOTOP: The
28 Area Council on Aging does this. They employ one

1 person at their front desk. So, for us, we'd be
2 looking at three (3) people. It's not a
3 contract. It's an agreement, a user agreement.
4 It's a Federal program SARPC administers.

5 MR. WAYNE DYESS: And -- and like at
6 Central Annex, we've had a lot of people who go
7 to Central Annex, and they're don't -- they don't
8 know where to go and they're kind of --

9 MS. SHERRY-LEA BLOODWORTH BOTOP:
10 Uh-huh. (Indicates affirmatively.)

11 MR. WAYNE DYESS: -- walking the halls
12 looking. This person could help direct those
13 people to a certain location.

14 Also, at the -- the Fairhope courthouse, many
15 times Michelle -- They come in and see Michelle
16 and ask for directions.

17 If we had somebody out front when then walk
18 in the door, they could better guide them to
19 where they need to go; and, potentially, also
20 in -- in Foley.

21 So this will just be really -- again, be part
22 of the program. But, also, for us, the benefit
23 for us would be sort of crowd -- crowd control
24 and also giving guidance on where to go for a
25 particular service to get people in and out of
26 the courthouse more quickly or our Central Annex
27 more quickly and get them to their destination
28 without having to -- to look around or go in

1 these different offices asking for directions.

2 MS. SHERRY-LEA BLOODWORTH BOTOP: It
3 would allow a citizen to get more attention,
4 one-on-one attention. I know often
5 administrative assistants don't have time to
6 really sit one-on-one with every single person
7 that comes in. And I observe it all the time in
8 Fairhope, for example, where people come in and
9 ask driver's license questions.

10 COMMISSIONER JOE DAVIS, III: Sure.

11 MS. SHERRY-LEA BLOODWORTH BOTOP: And
12 they're taking phone calls and trying to do all
13 of this. But, in addition, they could provide
14 Emergency Management pamphlets, you know, all
15 sorts of information for services around the
16 county.

17 COMMISSIONER BILLIE JO UNDERWOOD: It's
18 much needed at my building for sure. I -- I
19 can't speak for the other areas. But the -- the
20 few times that I'm there trying to do some -- you
21 know, walk in and try to interact with my
22 assistant, there's people, and they walk in, and
23 they're like, you know.

24 So I'm like, could I help you? So I actually
25 walk out there and -- and -- and guide them. It
26 would so nice if there was a -- a person.

27 Because you can have all the signs you want,
28 and they can almost fall over the signs. But if

1 there's a -- something there that says
2 information desk -- I think it needs to be -- if
3 we're going to do this, it needs be well
4 identified what it is.

5 MS. SHERRY-LEA BLOODWORTH BOTOP: Yeah.

6 COMMISSIONER JOE DAVIS, III: Right.

7 COMMISSIONER BILLIE JO UNDERWOOD: And
8 not people have to guess what's that person
9 sitting there.

10 MS. SHERRY-LEA BLOODWORTH BOTOP: So
11 it's like you see in the hospital.

12 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

13 MS. SHERRY-LEA BLOODWORTH BOTOP:
14 Information and --

15 COMMISSIONER BILLIE JO UNDERWOOD:
16 Information desk.

17 MS. SHERRY-LEA BLOODWORTH BOTOP: Right.
18 And -- and it becomes critical, too, as we
19 approach the census. I think they could serve in
20 a great capacity and an outreach for census as
21 well, providing forms and things like that.

22 COMMISSIONER JOE DAVIS, III: Well, if I
23 could, in -- in Fairhope, what I want us to have
24 is somebody that's professional, that can walk in
25 that west door and, say, all right, you just
26 walked in. Where are -- where are you going?
27 What are you looking for?

28 Because all the offices have the signs flat

1 against the building, so against their --

2 COMMISSIONER BILLIE JO UNDERWOOD:

3 Right.

4 COMMISSIONER JOE DAVIS, III: -- above
5 their door. So you've got to get in proximity to
6 see them. Now, you can have too many signs. But
7 I'm about trying newer signs or something that
8 sticks out so it says the Property Tax area.

9 Because it's hard to get a lot of detail work
10 done during the normal hours, because everybody
11 that opens the door is a constituent. We're --

12 COMMISSIONER BILLIE JO UNDERWOOD:

13 Right.

14 COMMISSIONER JOE DAVIS, III: -- trying
15 to help them.

16 COMMISSIONER BILLIE JO UNDERWOOD: I --
17 I --

18 COMMISSIONER JOE DAVIS, III: But
19 sometimes they don't even know how to ask the
20 question of where I'm looking for. They need
21 somebody. We need this very much.

22 COMMISSIONER BILLIE JO UNDERWOOD: Well,
23 I would like to see in different buildings -- You
24 know, I -- I've already picked out a spot. And I
25 think I've pointed it out to you, you know, that
26 there needs to be -- when they walk in, they need
27 to be able to see that. And it can be something
28 that can be moved out of the way if we --

1 COMMISSIONER JOE DAVIS, III: Oh, sure.
2 Yeah.

3 COMMISSIONER BILLIE JO UNDERWOOD: You
4 know, but they need to have like a -- just like
5 hospitals have. I'll use that as an example.

6 But, when people walk in, if it says
7 information that way, they will ask them, and
8 they won't interrupt everybody in all the
9 offices.

10 I don't know if this is true, but I've been
11 told like the type of work that I normally do,
12 that if you get interrupted, it takes you at
13 least fifteen (15) minutes to get back into that
14 work.

15 And so that's a lot of interruptions that can
16 happen. And -- and it -- it would really -- I
17 think it -- it's a no-brainer on the cost, you
18 know.

19 MS. SHERRY-LEA BLOODWORTH BOTOP:
20 Exactly. And it's a great program for seniors as
21 well. It serves a dual purpose.

22 COMMISSIONER JOE DAVIS, III: Okay.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)
24 GRUBER: The only -- I -- Down -- down here is a
25 little bit different.

26 COMMISSIONER BILLIE JO UNDERWOOD: Yours
27 is different.

28 COMMISSION CHAIRMAN CHARLES F. (SKIP)

1 GRUBER: Y'all are -- y'all are -- you know,
2 everything is inside one building. You go into
3 one door.

4 COMMISSIONER JOE DAVIS, III: You've got
5 the --

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: Here we've got a breezeway --

8 COMMISSIONER JOE DAVIS, III: Yeah.

9 COMMISSION CHAIRMAN CHARLES F. (SKIP)

10 GRUBER: -- with everything different, you know.
11 We've got --

12 COMMISSIONER JOE DAVIS, III: Right.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)

14 GRUBER: Every door is labeled, you know, above
15 it and everything else, you know. We do get --
16 You know, we get people in there all the time
17 saying, well, where is this? Where is this, you
18 know?

19 But, you know, you've still got the Probate.
20 You know, they go in the same way. They go in
21 the Probate and say, well, where's this? They go
22 into the Sheriff's Office and say, where's this?
23 You know, they go into the Court System and
24 say --

25 COMMISSIONER BILLIE JO UNDERWOOD: But
26 you may not get as inundated. I'm not sure.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: But -- Well, she gets quite a bit. But

1 it's still -- You know what I mean? It's the,
2 you know, where are we going to -- where are we
3 going to locate this thing? That's -- that's the
4 thing in --

5 COMMISSIONER JOE DAVIS, III: Yeah.

6 Where -- where --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: -- Foley. Where are you going to locate
9 it?

10 COMMISSIONER JOE DAVIS, III: Yeah.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: I mean, you know, you -- you just about
13 have to be outside somewhere because of the -- of
14 the traffic is going, you know -- you know.

15 But I -- but -- but I'm saying, you know, if
16 you put it -- because like I say, you've got --
17 right here you've got -- with the driver's
18 license, you've got all these other things. I
19 mean, it's --

20 COMMISSIONER BILLIE JO UNDERWOOD: It is
21 designed --

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)

23 GRUBER: So we're going to -- is it going to --

24 COMMISSIONER BILLIE JO UNDERWOOD: --
25 kind of awkwardly.

26 COMMISSION CHAIRMAN CHARLES F. (SKIP)

27 GRUBER: -- require -- Are we going to have to
28 have two people? I mean, you know, for -- I

1 mean --

2 MR. WAYNE DYESS: And, Mr. Chairman,
3 I -- I think this may not fit every single
4 circumstance we have. You know, Foley is a bit
5 of a problem just because of how it's laid out.

6 I think we have other facilities that it's
7 much easier, like at Central Annex and at
8 Fairhope. It's pretty --

9 COMMISSIONER JOE DAVIS, III: Yeah.

10 MR. WAYNE DYESS: You've got pretty much
11 one corridor coming in and out. We would look
12 for ways to integrate this here. I can't
13 guarantee you that it will have -- we'll find the
14 perfect location, or if we can find a location at
15 all.

16 COMMISSIONER BILLIE JO UNDERWOOD: Have
17 two.

18 MR. WAYNE DYESS: But I think --

19 COMMISSIONER BILLIE JO UNDERWOOD: One
20 over there and one over here.

21 MR. WAYNE DYESS: But I -- I think for
22 Fairhope and for Robertsdale, for sure, I think
23 we -- I think that's a fairly easy place to
24 locate them. I -- That's not -- that's not
25 the -- a challenge. Here --

26 COMMISSIONER JOE DAVIS, III: It --

27 MR. WAYNE DYESS: -- would be a
28 challenge.

1 COMMISSIONER JOE DAVIS, III: Our
2 signage was designed for the front door. But the
3 parking spaces are to the east and the west.

4 Well, people park and then come in the door --

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)

6 GRUBER: Uh-huh. (Indicates affirmatively.)

7 COMMISSIONER JOE DAVIS, III: -- that's
8 most convenient for them. And it's not the front
9 door where you can kind of see where all the
10 signs are. So that's why we would need it
11 definitely on the west end.

12 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

13 MR. WAYNE DYESS: And as far as the
14 signage goes --

15 COMMISSIONER BILLIE JO UNDERWOOD:

16 You -- you need it on the west end.

17 MR. WAYNE DYESS: As far as the
18 signage --

19 COMMISSIONER BILLIE JO UNDERWOOD: We
20 need it in the middle.

21 MR. WAYNE DYESS: Right. As far as the
22 signage goes, we're going to look at that and
23 see --

24 COMMISSIONER BILLIE JO UNDERWOOD: It --

25 MR. WAYNE DYESS: -- if we can find some
26 ways to better identify the -- the offices at --
27 at the courthouse with a more perpendicular sign.

28 But, you know, I -- I think our -- our vision

1 is to roll this out maybe at a couple of places.
2 And then we'll look in Foley --

3 COMMISSIONER JAMES E. (JEB) BALL: Sure.

4 MR. WAYNE DYESS: -- and see if there's
5 a way. And we can speak with Jeannie and -- and
6 get with her and talk to her about this, if
7 there's a location in Foley that would work
8 better or that might be needed, might be
9 practical in Foley.

10 That's something we'll have to cross. We'll
11 look at that and see.

12 COMMISSION CHAIRMAN CHARLES F. (SKIP)
13 GRUBER: Okay. All right.

14

15 **Q-4 - LIVE OAK LANDING FISHING TOURNAMENT**

16 MR. WAYNE DYESS: Mr. Chairman --
17 Mr. Chairman, the third thing is we have a
18 request for a fishing tournament on the same
19 weekend again as the Delta Dash.

20 In speaking with the Delta Dash organizers of
21 the event, they would prefer not having a
22 tournament then. But they understand the
23 practicality of -- of Live Oak Landing being
24 used.

25 And our -- I guess this morning I wanted to
26 ask do you have a problem with us allowing that
27 fishing tournament to go forward on the same day
28 with Delta Dash, or we can ask them to have --

1 find a different way.

2 COMMISSIONER JOE DAVIS, III: All right.

3 MR. WAYNE DYESS: I just wanted to put
4 it out there to you guys.

5 COMMISSIONER JAMES E. (JEB) BALL:
6 Where's Deidra? She's gone? I personally don't
7 have a problem with it. I -- I -- I will --
8 There -- there needs to be regulations --

9 MR. WAYNE DYESS: Yeah.

10 COMMISSIONER JAMES E. (JEB) BALL: -- on
11 what they can and cannot do.

12 MR. WAYNE DYESS: Okay.

13 COMMISSIONER JAMES E. (JEB) BALL: And
14 somebody needs to be out there overseeing those
15 regulations.

16 COMMISSIONER BILLIE JO UNDERWOOD: Some
17 limitations. Right.

18 COMMISSIONER JAMES E. (JEB) BALL:
19 Because they -- they -- they totally -- This past
20 time, they set up and blocked our course. And
21 once they were out fishing, you couldn't get
22 anybody to move their vehicles off the course --

23 MR. WAYNE DYESS: Right.

24 COMMISSIONER JAMES E. (JEB) BALL: --
25 because they're gone. And they set tents up in
26 the middle of the course. And this -- this was
27 not supposed to happen. But we just need to have
28 some -- some -- a regulatory process out there.

1 MR. WAYNE DYESS: Okay.

2 COMMISSIONER JAMES E. (JEB) BALL: And
3 it does not need to be Delta Dash volunteers
4 telling the fishing tournament what to do,
5 because --

6 MR. WAYNE DYESS: Right.

7 COMMISSIONER JAMES E. (JEB) BALL: --
8 they won't listen to you.

9 MR. WAYNE DYESS: Okay.

10 COMMISSIONER JOE DAVIS, III: Yeah.

11 COMMISSIONER JAMES E. (JEB) BALL: So we
12 just -- I don't --

13 MR. WAYNE DYESS: That's --

14 COMMISSIONER JAMES E. (JEB) BALL: I
15 don't mind it. That's --

16 MR. WAYNE DYESS: Okay.

17 COMMISSIONER JAMES E. (JEB) BALL:
18 That's what it's used for.

19 MR. WAYNE DYESS: All right. We --
20 we --

21 COMMISSIONER BILLIE JO UNDERWOOD:
22 Right.

23 COMMISSIONER JAMES E. (JEB) BALL: I
24 hate to close it down.

25 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

26 COMMISSIONER JOE DAVIS, III: Sure.

27 COMMISSIONER BILLIE JO UNDERWOOD:
28 But --

1 COMMISSIONER JAMES E. (JEB) BALL: But
2 they both can happen there. There just needs
3 to --

4 COMMISSIONER BILLIE JO UNDERWOOD:
5 Right.

6 COMMISSIONER JAMES E. (JEB) BALL: -- be
7 some oversight.

8 MR. WAYNE DYESS: We will make that very
9 clear with -- with the fishing tournament. And
10 then when that time comes, we'll have some people
11 stationed out there.

12 COMMISSIONER JAMES E. (JEB) BALL: Well,
13 we had it roped off, because I did it. We -- we
14 roped it off. And they took down our tape and
15 just tore it down and put their stuff where they
16 wanted to.

17 MR. WAYNE DYESS: Okay. Well -- well,
18 that -- that will certainly be addressed.

19 COMMISSIONER JAMES E. (JEB) BALL: And I
20 did not want to make the --

21 MR. WAYNE DYESS: Okay.

22 COMMISSIONER JAMES E. (JEB) BALL: --
23 press thing going out there telling them what to
24 do.

25
26 Q-5 - ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY
27 AFFAIRS (ADECA) - ALABAMA COUNTS 2020 CENSUS GRANT
28 APPLICATION FOR 2020 CENSUS OUTREACH FOR BALDWIN COUNTY

1 MR. WAYNE DYESS: And, Mr. Chairman --
2 Mr. Chairman, we've got one more before we get to
3 the big item on the addendum, and that's the
4 census grant request.

5 Do you want to handle that, Sherry-Lea?

6 MS. SHERRY-LEA BLOODWORTH BOTOP: Yes.
7 We have the regional representative. And then
8 Tanner is here. And I'll let you introduce
9 yourself, Jean. And then Tanner is here from
10 EDA, who you already know.

11 And we are -- We would like to apply for a
12 twenty thousand dollar (\$20,000) grant for census
13 outreach to -- to support our efforts. It's a
14 one-time offering from the State through ADECA.

15 There is match required, but the match can be
16 in-kind. And we think what we'd like to do is
17 apply with EDA as a partner for a countywide
18 outreach effort.

19 We know that -- And Jean can fill you in
20 more -- we're a little late to game --

21 MS. JEAN HOLK: Yeah.

22 MS. SHERRY-LEA BLOODWORTH BOTOP: --
23 because I -- I just started. But there are some
24 municipal partners that are already going full
25 steam ahead. There's others that have not
26 started. So we can help those. And then we can
27 provide a little more countywide context to the
28 whole effort.

1 Jean, can you --

2 MS. JEAN HOLK: Sure.

3 MS. SHERRY-LEA BLOODWORTH BOTOP: --
4 talk about that a little bit more?

5 MS. JEAN HOLK: Sure. My name is Jean
6 Holk, and I'm the partnership specialist for
7 Baldwin County for the United States Census
8 Bureau.

9 It's my job to come into the communities.
10 And I'm proud to say I live here locally in
11 Orange Beach. I'm not in Atlanta. So it's my
12 job to come into the community and educate the
13 community about the census, what the census is,
14 why we need to take our census, and -- and what
15 it brings to each person individually in the
16 community and to the community collectively.

17 So what we do in that sense is go into each
18 city, town, municipality and ask them to create
19 what we call a complete count committee, which is
20 a group of just trusted voices in the community
21 to help us educate the community, because I'm
22 just one person.

23 So we've done that in Fairhope, Orange Beach,
24 Gulf Shores, and Foley so far. We're working on
25 one in Daphne. But that leaves us with a -- a
26 big chunk of our rural communities. And it's
27 rural communities that has a low response rate or
28 did have a low response rate in our 2010 census.

1 So vital for us to get together as a county
2 and in a countywide effort as well to produce a
3 complete count committee, we feel like.

4 I've spoken with Tanner about this and now
5 with Sherry also. And they -- they feel the same
6 way I do, that I think that if we -- if we
7 partner as a county with our other
8 municipalities, we're just going to be able to
9 reach more ground. And so that's what we're
10 thinking about doing today.

11 And as a complete count committee, there is
12 an ADECA grant that can be applied for that, she
13 mentioned. And that -- that grant can -- it can
14 be used for promotional materials.

15 I have all the educational materials from the
16 census. But I don't have what we call the bling
17 to give out at the Shrimp Festival or, you know,
18 wherever.

19 And, you know, that -- that's what attracts
20 people. I don't care whether it's a pen or a
21 chip clip or some Chapstick. So we could do
22 things like that, signage.

23 We would -- we -- we have a -- well, it's a
24 tag line, but it's more like a -- a promotional
25 thing. And it's -- You -- you can say "BALDWIN
26 COUNTY COUNTS" or "FAIRHOPE COUNTS" or "KIDS
27 COUNT" when we go into schools or, you know,
28 whatever.

1 That's sort of our logo for the 2020 census.
2 And those materials could be purchased, those
3 promotional materials with those logos on it
4 could be purchased through this grant money.

5 And the grant money is -- it's supposed to be
6 matched, but it can be matched in in-kind
7 sponsorship as well.

8 So that's where we are now and what we've
9 been sort of -- sort of brainstorming about,
10 putting together this complete count committee.
11 And that's what Sherry is talking about.

12 MS. SHERRY-LEA BLOODWORTH BOTOP: And
13 Tanner has already done a great deal of legwork
14 on this, that he's put together materials and has
15 done outreach to Lamar Advertising, obviously,
16 their board.

17 Commissioner Davis, you probably have heard
18 some of this.

19 MR. TANNER JONES: Yeah. We've got the
20 school system onboard, some of the utility
21 partners in the county, and people that we work
22 with on a regular basis that would be willing to
23 promote in different ways.

24 The State has designated a million dollars
25 (\$1,000,000) for this -- this grant fund that
26 will be distributed across the state. So it --
27 it's -- it's kind of scarce. We -- we wish there
28 was more -- more money there.

1 A couple of the individual municipalities are
2 also applying for grants, but -- but nobody is
3 really taking this on from a countywide basis.

4 We've started working on it at the alliance.
5 We'll work with Sherry-Lea now to -- to
6 coordinate with you guys and make sure we're
7 covering as much ground as possible.

8 And -- and, like she said, the in-kind --
9 like she said, the in-kind match will probably
10 cover --

11 MS. SHERRY-LEA BLOODWORTH BOTOP:

12 Uh-huh. (Indicates affirmatively.)

13 MR. TANNER JONES: I mean, if we're
14 asking for twenty thousand (\$20,000), I -- I
15 mean, it would be a twenty thousand (\$20,000) max
16 that we would need to match.

17 But I -- I think it would probably closer to
18 ten (\$10,000) -- to ten (\$10,000). We --
19 Because, I mean, I know that between the two of
20 us, we've probably already put a thousand
21 dollars' (\$1,000) worth of in-kind services into
22 preparing for it.

23 MS. SHERRY-LEA BLOODWORTH BOTOP: And
24 we'll have -- I mean, a lot of our agencies will
25 have allocations inside county. And we'll work
26 on that. Then we can count their hours, too.

27 We're already starting tomorrow with the
28 senior expo without the grant. We have a booth

1 there. So we'll -- we'll start doing some
2 outreach. But we're playing catchup as fast as
3 we can.

4 MS. JEAN HOLK: I'll be at the Shrimp
5 Festival all week --

6 MS. SHERRY-LEA BLOODWORTH BOTOP: There
7 again --

8 MS. JEAN HOLK: -- all weekend. And
9 we've already -- we've -- we've hit the ground
10 running already.

11 MR. TANNER JONES: Yeah. Every single
12 person that's counted is worth fifteen hundred
13 dollars (\$1500) to the State. And that's the --
14 that's the key piece.

15 But, also, I mean, we use this information
16 daily at the alliance just to get information out
17 to people, whether it's a businessowner, large or
18 small, that's -- that's looking for demographic
19 information on the --

20 COMMISSIONER BILLIE JO UNDERWOOD: Well,
21 if I may, I -- I believe back in the spring -- I
22 think Commissioner Ball wasn't able to be there
23 that day. But --

24 COMMISSIONER JAMES E. (JEB) BALL: Yeah.

25 COMMISSIONER BILLIE JO UNDERWOOD: But
26 the -- the other three of us -- And we were in
27 Fairhope. And we've just kind of been waiting on
28 an opportunity to get -- And -- and -- and that

1 was part of one of the reasons that we have a
2 Public Information Officer, to help us get this
3 all coordinated.

4 COMMISSIONER JAMES E. (JEB) BALL: Yeah.

5 COMMISSIONER BILLIE JO UNDERWOOD: So
6 thank you for going ahead and get starting,
7 because we don't want to be too late. But
8 we're -- we're all onboard with that, I believe.

9 I -- I hate to speak for other people. But
10 they're all sitting here. But I don't think
11 anybody would disagree.

12 And -- and Commissioner Davis has been very
13 good about keeping up his commitment. And
14 everywhere we go, just about, it's a new
15 audience.

16 COMMISSIONER JOE DAVIS, III: We had a
17 roomful this morning. And I should have said
18 something to them formally.

19 COMMISSIONER BILLIE JO UNDERWOOD: We
20 should have done this earlier. We should have
21 done this earlier.

22 MS. JEAN HOLK: We'll get to it.

23 COMMISSIONER BILLIE JO UNDERWOOD: But
24 you know what? They will be here. Let's move
25 this up on the agenda next week ahead of the --
26 the public hearing.

27 COMMISSIONER JOE DAVIS, III: When the
28 house is full.

1 MS. SHERRY-LEA BLOODWORTH BOTOP: So
2 let's do Friday. I just found out about it. So
3 we're already working on pulling it together.
4 But I think your process is --

5 COMMISSIONER BILLIE JO UNDERWOOD: We'll
6 do good. I think this is going to be great
7 because I think from talking to like Miriam and
8 people like that from Foley, we had little
9 pockets of things going on before.

10 But this will be an opportunity to have a
11 collaborative countywide effort. And if you guys
12 will just make sure that all the -- the
13 municipalities that are already doing something,
14 that we coordinate with them. And we'll be
15 great. Okay.

16 MS. JEAN HOLK: I go each one of these
17 meetings in -- in -- in those different areas.
18 And, by the way, Miriam Boutwell, she tells me
19 what to do.

20 COMMISSIONER BILLIE JO UNDERWOOD:
21 Well --

22 MS. JEAN HOLK: She was here in 2010,
23 and she knows citizens. She -- she --

24 COMMISSIONER BILLIE JO UNDERWOOD: I
25 kind of picked --

26 MS. JEAN HOLK: She -- she --

27 COMMISSIONER BILLIE JO UNDERWOOD: I
28 kind of picked up on that from here before. And

1 that's why I mentioned her, was because she --

2 MS. JEAN HOLK: Yeah.

3 COMMISSIONER BILLIE JO UNDERWOOD: --
4 she -- she was talking about walking out at the
5 festivals with the iPads and all this kind of
6 stuff.

7 MS. JEAN HOLK: Uh-huh. (Indicates
8 affirmatively.)

9 COMMISSIONER BILLIE JO UNDERWOOD: And
10 so you guys do it.

11 COMMISSIONER JAMES E. (JEB) BALL: Hey,
12 Brian, is there something we can do on our end
13 for our channel to put the banner up on the --

14 MR. BRIAN PEACOCK: Yeah.

15 COMMISSIONER JAMES E. (JEB) BALL: Run
16 that all -- all day long, when the people are
17 watching the meetings, to remind them about
18 filling out the census, how important it is, and
19 do it on our website as well?

20 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.
21 Are you ready to get a banner -- I mean, a --

22 MR. BRIAN PEACOCK: Yes.

23 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
24 Because I know you told me you were kind of
25 waiting --

26 MR. BRIAN PEACOCK: Put a ticker on the
27 top.

28 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

1 COMMISSIONER JOE DAVIS, III: A ticker
2 on top.

3 MS. SHERRY-LEA BLOODWORTH BOTOP: And --
4 and we'd like a Baldwin County, you know, brand.
5 And the -- the State is supplying those --

6 COMMISSIONER JAMES E. (JEB) BALL: Sure.

7 MS. SHERRY-LEA BLOODWORTH BOTOP: -- the
8 individual brands. So we'll get that or even a
9 "YOU COUNT." We've gotten some social media
10 feedback from people. What about me as a
11 citizen? You know, I said, you know, you count.
12 So we'll -- we'll look at all those things.

13 MS. JEAN HOLK: And really what will
14 happen is once the grant application is
15 submitted -- that's -- that's the big rock right
16 now. Because, like she said, it's due on Friday.

17 Once that's done, then the committee will be
18 formed, and we will put together an action plan.
19 And all of those packets, all of those channels
20 and communications, all of those target
21 audiences, whether it be seniors or, for
22 instance, five and under are -- are low counted.
23 We don't know why they're not.

24 COMMISSIONER JOE DAVIS, III: Yeah.

25 MS. JEAN HOLK: All of that would be
26 incorporated into a communications plan that we
27 will run off of. And then we'll eventually have
28 a timeline leading up to the census.

1 MS. SHERRY-LEA BLOODWORTH BOTOP: So we
2 need to make sure it's okay that we submit the
3 proposal on Friday. I don't know the process. I
4 don't have it fully down yet. But I think it
5 would have to be retroactively approved in the
6 next meeting. It's due Friday, so we'd have to
7 go in and put it as --

8 COMMISSIONER BILLIE JO UNDERWOOD: Just
9 like what Matthew asked.

10 ATTORNEY DAVID CONNER: Yes. If --
11 if -- if you have to submit it Friday, if you all
12 are okay with it being submitted, then the
13 Chairman would sign it, and it would come back to
14 be ratified.

15 MS. SHERRY-LEA BLOODWORTH BOTOP: Okay.

16 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

17 ATTORNEY DAVID CONNER: We don't do that
18 a whole lot. But --

19 COMMISSIONER JOE DAVIS, III: Yeah. But
20 sometimes.

21 MS. SHERRY-LEA BLOODWORTH BOTOP: Right.

22 ATTORNEY DAVID CONNER: -- emergencies
23 happen.

24 COMMISSIONER JOE DAVIS, III: Yeah.

25 MS. SHERRY-LEA BLOODWORTH BOTOP: And --
26 and I -- you know, I don't want to make it a
27 habit. But it -- it came up this week, or Friday
28 actually. So thank you. Okay.

1 COMMISSIONER JOE DAVIS, III: Good.

2 MS. JEAN HOLK: We appreciate it.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: All right.

5 COMMISSIONER JOE DAVIS, III: Thank you.

6

7 **Q-1 - LICENSE AGREEMENT NO. 19013 - 3RD STREET**

8 **RIGHT-OF-WAY IN MONTROSE**

9 MR. WAYNE DYESS: Mr. Chairman, the
10 last -- the last item on the agenda is a license
11 agreement, 19013, for 3rd Street right-of-way in
12 Montrose.

13 I think Frank Lundy is here to speak about
14 this. And I think we have some speakers as well,
15 Mr. Chairman, who want to --

16 COMMISSION CHAIRMAN CHARLES F. (SKIP)

17 GRUBER: Okay.

18 MR. WAYNE DYESS: -- speak on this
19 issue.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)

21 GRUBER: Go ahead.

22 MR. FRANK LUNDY: Good morning,
23 Commissioners.

24 COMMISSIONER JOE DAVIS, III: Good
25 morning.

26 MR. FRANK LUNDY: As Wayne said, this is
27 License -- License Agreement Number 19013, 3rd
28 Street in Montrose.

1 We received a request from the Thomasson
2 family to clear some underbrush and small trees
3 along 3rd Street, basically from the end of the
4 pavement down to Rock Creek. And the reason is
5 to be able to access their property.

6 I will briefly mention the property being
7 accessed are these parcels here and then the
8 three parcels going north between 3rd -- along
9 the east side of 3rd Street.

10 So, with that, I think we have some folks
11 here to speak on behalf of this request. And I
12 think there may be some -- some citizens here in
13 opposition. So, Mr. Chairman, if it's okay --

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)
15 GRUBER: Please do.

16 MR. FRANK LUNDY: -- we can --

17 COMMISSION CHAIRMAN CHARLES F. (SKIP)

18 GRUBER: Okay. Who wants to be first? Just
19 please state your name so that we can get it for
20 the record.

21 MR. LARRY CHASON: Yes, sir. My name is
22 Larry Chason. I appreciate the opportunity to
23 come here today. I'm the representative for the
24 Thomasson family.

25 This property is about fifty-two (52) acres,
26 about twenty-five hundred (2,500) feet on the
27 four-lane due south of the Montrose Cemetery.

28 There's a unique thing about the fifty (50)

1 acres. I think I said it. But it's -- it's --
2 it's a little bit unusual in that several years
3 ago, the property was annexed into the City of
4 Fairhope. The right-of-ways were not.

5 Some of you may know that a hundred (100) and
6 plus years ago, when the Cyrus Sibley or whoever
7 it was that platted Montrose, basically just put
8 a checkerboard grid down over the -- over the --
9 not paying any attention to topography or
10 whatever.

11 Of course, there have been some changes over
12 the years with the construction of the four-lane
13 highway there. But that grid pattern, each one
14 of these blocks is about a nine (9) acre block,
15 roughly six hundred (600) by six hundred (600).
16 All of the right-of-ways that were laid down and
17 for the most were about sixty-five (65),
18 sixty-six (65) feet wide.

19 There were sometimes, back years ago, when
20 some of these right-of-ways were vacated. But
21 these right-of-ways are all still in place.

22 So the Thomasson fifty (5) acres is in five
23 (5) blocks of land. You see here's the cemetery
24 at the very top. That's Block 1, Block 2, Block
25 3, Block 4, and Block 5 that comprises this.

26 Each one of those blocks in the original
27 subdivision is divided into three (3) --
28 three (3) -- three (3) acre lots. Each one block

1 is roughly nine (9) acres.

2 That one up there is the only one that's a
3 full nine (9). There's -- there's three (3) lots
4 in that block.

5 So we actually have somewhere in the
6 neighborhood of fifteen (15) or sixteen (16) lots
7 of record that are -- that are platted and
8 recorded property, ranging anywhere in size from
9 the biggest would be -- in this block would be
10 three (3) acre lots. And when you get down here
11 and the highway cuts into it, these lots would be
12 probably a little less than an acre.

13 About a year and a half ago, the Thomassons
14 asked me to go to the City of Fairhope and ask
15 for a PUD to be approved. We looked at what
16 the -- at the -- at that time this property was
17 zoned R-1 in the City of Fairhope, Single-Family
18 Residential.

19 So what we did, we looked at the density of
20 how, in a -- as an R-1 subdivision, what could
21 you do. And in this property, we were able to
22 lay out about seventy-five (75) lots or so.

23 So we went to the community, the people that
24 live around this, and asked for their support to
25 put in a -- a PUD of about seventy-seven (75)
26 lots.

27 The majority of these lots would have been up
28 in this area. This would have been put into a

1 conservation easement. This is Rock Creek right
2 here.

3 The City of Fairhope did approve the PUD, and
4 the Council approved it as well. So the property
5 is currently zoned PUD.

6 What -- We took that proposal, we tried to
7 market that. There's probably a handful of
8 reasons, but not the least of which is that down
9 in this area, the topography is a little more
10 difficult. And we had a road system.

11 The -- the main objection to all of the
12 residents is that there be no connection between
13 Highway 98 and Main Street, which the Thomassons
14 are perfectly agreeable to.

15 But after we exhausted every possibility that
16 we thought to develop the PUD, we came back to
17 what we originally knew we had in the very
18 beginning; and that is, fifteen (15) lots of
19 record.

20 The only way to access all of those lots is
21 3rd Street. 3rd Street is currently paved from
22 Sibley down to where you see the black and white
23 solid line just south of the cemetery.

24 And so what we were proposing to do was open
25 3rd Street, not allowing any -- any of these
26 connections to Taylor or Chapman to be opened.

27 We're asking -- At this point, we -- we had
28 hoped to be able to -- to -- to discuss this

1 as -- as one application. But we have agreed
2 that it's going to have to be two applications.

3 What we're looking for today at the next
4 meeting is that we simply want to underbrush 3rd
5 Street. We just want to bring in one of the
6 forestry mowing pieces of equipment. We want to
7 stay over on the east side of -- of 3rd Street
8 about twenty (20) feet wide.

9 And we're just looking for something that you
10 can walk down or that you could ride a
11 four-wheeler down. We're not looking for
12 anything that you can drive a vehicle down.

13 And the purpose of that is so that we can
14 right now go back in and we can put rough stakes
15 in the ground where these lots of record exist to
16 see about marketing that property, not as a PUD,
17 but pretty much the same as the rest of Montrose,
18 which are large-acreage lots.

19 If we're successful with that -- And we think
20 we're going to be -- then we would be coming back
21 to the County asking for a license to improve the
22 road. At that time, we would submit all of our
23 engineering and drainage.

24 We would be looking at something similar to
25 what 3rd Street is at the north end of this
26 purple line. And we would bring it down. It
27 wouldn't go anywhere. It wouldn't open back up
28 to any of these other right-of-ways.

1 It probably would -- one of these
2 rights-of-ways off of 98, we're anticipating that
3 the DOT is probably going to allow a right-in and
4 right-out situation on the four-lane.

5 But we would have the ability to come in off
6 of 98, and we would also have the ability to come
7 off of Sibley down 3rd Street.

8 So this is the -- It's -- it's -- it's not
9 very complicated. I will say that there is --
10 Although this shows that, we have no intention
11 of -- of wanting to clear all the way to the
12 creek.

13 I mean, at some point in time, there probably
14 would be a pedestrian trail. This is beautiful
15 area down in here.

16 And if -- if this -- if this proposal was
17 to -- or this project was to be developed as a
18 single-family residential subdivision, there
19 probably would be some common areas down around
20 Rock Creek for the residents to have.

21 So that's really all we're here today is to
22 try to underbrush. But I want to be perfectly
23 upfront with you to say that we're doing this in
24 anticipation that we'll be successful and will be
25 coming back to ask to -- to open and pave and --
26 and dedicate 3rd Street as a public street.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)

28 GRUBER: Uh-huh. (Indicates affirmatively.)

1 MR. LARRY CHASON: Thank you.

2 COMMISSIONER CHARLES F. (SKIP) GRUBER:
3 All right.

4 MR. FRANK LUNDY: Commissioners, just
5 for clarity, if I may, I -- I do think we need to
6 point out, just to make sure everyone's on the
7 same page, that the green hatched areas are
8 inside the Fairhope city limits.

9 This bluish/purple area is also inside the
10 Fairhope city limits since more recent
11 annexations. And the City of Fairhope does
12 maintain Taylor Street, which is a paved road.
13 So I just wanted full disclosure on that.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)
15 GRUBER: One quick question. When they annexed
16 all of that property into the -- the City, how
17 come they didn't get the -- how come they don't
18 have the rights to the other?

19 I mean, it's -- You know, that usually goes
20 with the annexation of property, you know. You
21 know, we -- we don't have any say-so inside city
22 limits.

23 MR. FRANK LUNDY: Yeah.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP)
25 GRUBER: I mean, you know, and this is -- You
26 know, we've run into this several times with some
27 of the other municipalities --

28 COMMISSIONER JOE DAVIS, III: Uh-huh.

1 (Indicates affirmatively.)

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: -- that say, well, you know, that's in
4 your corporate limits. It's not in ours anymore.

5 MR. FRANK LUNDY: Well, here -- here's
6 the --

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: You know, we don't have the -- Just
9 because it's -- shows on a plat, it was never
10 accepted for maintenance by the County. So once
11 it's annexed, it -- That area should be in --
12 within the municipality. Am I -- am I --

13 ATTORNEY DAVID CONNER: Well --

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)

15 GRUBER: -- seeing that wrong or --

16 ATTORNEY DAVID CONNER: No. You're
17 close. The -- the -- the statute says -- And I
18 think it's prior to 1995 -- that any roads that
19 were being annexed or -- or maintained by the
20 County or maintained by the City shall remain the
21 responsibility of the City, whether it's annexed
22 in or not.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: Uh-huh. (Indicates affirmatively.)

25 ATTORNEY DAVID CONNER: After '95, then
26 the law says that if the County has been
27 maintaining the road for more than a year --

28 COMMISSION CHAIRMAN CHARLES F. (SKIP)

1 GRUBER: Uh-huh. (Indicates affirmatively.)

2 ATTORNEY DAVID CONNER: -- and if you
3 annex the road, then you automatically undertake
4 it for maintenance. If you've been maintaining
5 it less than a year but the municipal planning
6 commission approved that road as part of a
7 subdivision process --

8 COMMISSION CHAIRMAN CHARLES F. (SKIP)

9 GRUBER: Uh-huh. (Indicates affirmatively.)

10 ATTORNEY DAVID CONNER: -- then you
11 automatically take it over for maintenance as
12 well.

13 In this case -- Frank, help me just a second.
14 Show me the areas where both sides of the road
15 have been annexed by Fairhope.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP)

17 GRUBER: All that.

18 MR. FRANK LUNDY: Well, we've got the --
19 the green shaded is an older annexation. It's
20 pre-95. That's what David just alluded to.

21 ATTORNEY DAVID CONNER: That's right.

22 MR. FRANK LUNDY: So this was before the
23 law changed in '95. It was the green shaded
24 areas that you see on the map, the -- the
25 diagonal lines.

26 The bluish color here is after 1995, the date
27 that David just referenced. But it is also in
28 the City. And --

1 ATTORNEY DAVID CONNER: All right. And
2 then going north from that blue piece, are those
3 two squares in Fairhope as well, or not?

4 MR. FRANK LUNDY: Just -- just
5 immediately north. And then the areas that you
6 see just north of that that are not shaded are
7 still in the county.

8 ATTORNEY DAVID CONNER: In the county.
9 Okay. There's a provision that says that at some
10 point in time, if you annex up to both sides of
11 the road, then we can request -- there -- there
12 can be a request that they annex the roadbed as
13 well.

14 And I think that came as a later amendment to
15 that section. So it could be that we ought to
16 consider asking Fairhope to annex the roadbed in
17 and take those sections over.

18 That would help you with the most part of the
19 road. It wouldn't help you with the top part
20 that's still in the county on the left side.

21 MR. FRANK LUNDY: And I -- I'm not sure
22 in this case if the roadbed was actually excluded
23 or included. Our map shows that it is included.

24 Mr. Chason alluded to you that it was
25 excluded. I don't know the answer to that. But
26 our records do show that it's included in this
27 area.

28 MR. DAVID CONNER: All right. Then we

1 need to verify that with Fairhope to see if it is
2 or not, because that changes the analysis about
3 how we -- the County would proceed.

4 MS. DEBBIE QUINN: I did ask the City,
5 and they -- they weren't sure if it was --

6 ATTORNEY DAVID CONNER: Okay.

7 MS. DEBBIE QUINN: -- included.

8 ATTORNEY DAVID CONNER: So -- so let's
9 go back and look at the legal descriptions to
10 see --

11 MS. DEBBIE QUINN: Uh-huh. (Indicates
12 affirmatively.)

13 ATTORNEY DAVID CONNER: -- if they
14 annexed up to the road or if they annexed the
15 whole area that included the road. If it was
16 done by boundary, then it would include. If it
17 was done up to --

18 MR. LARRY CHASON: Mr. Conner, I think
19 you're going to find that that annexation refers
20 to like Block 22, Lot 22 and 3, Block 23, Lots 1,
21 2, and 3.

22 ATTORNEY DAVID CONNER: Okay.

23 MR. LARRY CHASON: It's not a boundary,
24 meets, and bounds.

25 ATTORNEY DAVID CONNER: Okay.

26 MR. LARRY CHASON: It's a lot and
27 block --

28 ATTORNEY DAVID CONNER: Okay.

1 MR. LARRY CHASON: -- annexation.

2 ATTORNEY DAVID CONNER: And so does the
3 block -- the block includes the lots; right?

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: Yeah.

6 ATTORNEY DAVID CONNER: So there are --
7 there are four (4) lots in a block then. Is
8 that --

9 MR. LARRY CHASON: Three (3).

10 MS. DEBBIE QUINN: Three (3).

11 ATTORNEY DAVID CONNER: Three (3) lots
12 in a block? Okay.

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)

14 GRUBER: And that includes -- I mean, that --

15 ATTORNEY DAVID CONNER: It would include
16 the road then. We just need to look at that and
17 see. You don't think it does?

18 MR. LARRY CHASON: It would not --

19 ATTORNEY DAVID CONNER: Okay.

20 MR. LARRY CHASON: -- include that.

21 ATTORNEY DAVID CONNER: Okay. All
22 right.

23 ATTORNEY DAVID CONNER: Well, let's
24 verify that so we can let them know for sure.

25 But it's -- unless it's been -- unless it's
26 on both sides, which it looks like it is in
27 certain areas -- If it's on both sides, then
28 Fairhope, I believe, can be asked to annex in it.

1 Now, it wouldn't take care of the top part
2 where you all would to agree, because only --
3 the -- the top part has not been annexed in. So
4 you'd have to give an approval to do that there.

5 Is Fairhope opposed to y'all doing the
6 opening?

7 MR. LARRY CHASON: Well --

8 MS. DEBBIE QUINN: We're still under a
9 PUD.

10 MR. LARRY CHASON: -- we haven't -- The
11 only thing we've discussed with Fairhope was a
12 PUD, which would have involved improving one of
13 these existing right-of-ways from 98 into 3rd
14 Street.

15 But basically the road layout in the PUD
16 would have been on Thomasson property, not in --
17 We would not have been using any of these
18 right-of-ways, except where it connects to 98.

19 ATTORNEY DAVID CONNER: Unless Fairhope
20 has, in fact, annexed the roads -- if they've
21 annexed either side of it, it would -- still
22 requires an action to be done for them to annex
23 the roadbed.

24 It's not automatic. And so unless they've
25 annexed the whole roadbed, I would still say
26 that's County road at that point in time.

27 However, we should make a policy of going
28 back and having the Cities, when they go to both

1 sides of that road, to take the further action to
2 annex the roadbed in when they're required to, to
3 get it off your books.

4 MR. LARRY CHASON: Mr. Conner, isn't --
5 isn't it a fact, though, that the northern part
6 of 3rd Street is currently paved and improved
7 is -- is maintained by the County?

8 MR. DAVID CONNER: Well, it could be.
9 But that's -- that's the point I'm talking about.
10 As you go north, those two -- those parcels or
11 blocks on the east -- on the west side are in the
12 county.

13 And so that's a situation we don't have the
14 City annexing on both sides. So that part will
15 remain the part of the county.

16 The only question I have is whether or not --
17 going down south -- is whether or not since the
18 City annexed both sides, they're required, at the
19 request of the County, to take it over.

20 But at this point in time, there's been no
21 knowledge of that. So I still think it's within
22 the County's jurisdiction, as it sits today.
23 That's what I think.

24 MR. FRANK LUNDY: And that's correct.
25 Just to -- to allude to that just a little bit
26 more, we recently resurfaced many of the roads in
27 this area, 3rd Street being one of them, Taylor
28 Street being one of them, being that Taylor

1 Street was already annexed on both sides
2 completely --

3 MR. LARRY CHASON: Not --

4 MR. FRANK LUNDY: -- pre-95 --

5 MR. LARRY CHASON: There's one lot
6 that's still in the county on Taylor Street, the
7 corner of -- the northeast corner of Main and
8 Taylor is still County.

9 MR. FRANK LUNDY: Okay. Well, we
10 entered into an agreement with the City of
11 Fairhope. They agreed if we resurfaced it, they
12 would take over maintenance of the majority of
13 the road that was -- was already in the city on
14 both sides.

15 3rd Street was a different story. That's
16 still in the county primarily. Some carries us
17 on one side but not the other. So that was the
18 difference there.

19 And -- and I -- I will also add that I did
20 reach out to Fairhope yesterday just to get
21 their -- attempt to get their opinion on this and
22 I have not received information back on that. So
23 I'm still working on that angle.

24 MS. DEBBIE QUINN: Well, it's in the
25 back of Dovecote. There's on holdout that's not
26 in the city where it -- where the T is on
27 Dovecote. There's one little holdout.

28 MR. FRANK LUNDY: Okay.

1 MS. DEBBIE QUINN: So it's not
2 completely in the city.

3 MR. FRANK LUNDY: So, Mr. Chairman,
4 we've heard the discussion in -- in favor of
5 this, you know, from Mr. Chason. I think we
6 should hear from the audience. And I'll turn it
7 over to y'all.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP)
9 GRUBER: Okay.

10 MS. DEBBIE QUINN: So a picture is worth
11 of a thousand words. So this is the 1800s
12 that -- that Larry's been talking about.

13 COMMISSIONER JAMES E. (JEB) BALL: Can I
14 ask you a question real quick --

15 MS. DEBBIE QUINN: Yeah.

16 COMMISSIONER JAMES E. (JEB) BALL: --
17 before we start? Are you in opposition of this?

18 MS. DEBBIE QUINN: Opposition.

19 COMMISSIONER JAMES E. (JEB) BALL: Okay.

20 MS. DEBBIE QUINN: And then this is the
21 PUD.

22 COMMISSIONER JOE DAVIS, III: The PUD is
23 in place but has not been acted on?

24 MR. LARRY CHASON: The -- the PUD was
25 adopted but we've not gone forward with any
26 engineering for a first phase.

27 MS. DEBBIE QUINN: So my name is Debbie
28 Quinn. I live in Fairhope on Taylor Street. And

1 in the 1880s, Cyrus Sibley, like Larry said, put
2 this grid on top of Montrose.

3 And then, of course, along came the
4 four-lane. And then the -- none of the grid that
5 went to the four-lane was ever vacated. So we
6 have tired, over the years, to try and vacate
7 some of that so we wouldn't get access into our
8 neighborhood.

9 And, of course, the County has always said,
10 don't worry about it. We've got your back. We
11 won't ever open it up. You know, we'll always
12 take care of you. So that's -- Here we are
13 again.

14 So in 2015, the Thomassons came to us and
15 told us that they had a new plan. They were
16 going to put all this business out there and some
17 town homes and condominiums on that green space
18 and some single-family homes.

19 And they're going to open up all the
20 right-of-ways, and they're going to have all this
21 access to the four-lane and into our
22 neighborhood.

23 So our streets are about fifteen and a half
24 (15.5) to sixteen (16) feet wide. We have all
25 these historic trees.

26 Montrose is a designated historic area,
27 nationally and statewide. And so we all just,
28 you know, took a deep breath. And we met with

1 Larry and some neighbors and said, okay, let's
2 work together. And so we came up with the PUD
3 that you have in front of you and went to the
4 City and got that passed.

5 And -- and the Thomassons and Larry all said,
6 we do not want to -- We don't want to rile y'all
7 up. There's about sixty (60) of us on Taylor and
8 3rd. We want to work with you. We want to make
9 this right. We want to -- You know, we don't
10 want to open it up into the neighborhood. And we
11 said great. So we -- we helped them get that
12 passed.

13 And all the right-of-ways are supposed to
14 stay green. Nothing is supposed to go into the
15 neighborhood. It was supposed to come in off the
16 four-lane, stay inside their property, and then
17 go out on Main Street. Terrific. So that was
18 passed in January or February of 2017.

19 So then it comes up that they want to now
20 open up 3rd Street. Well, Taylor Street, through
21 Chris Elliott, my favorite person, gave Taylor
22 Street to the City of Fairhope without our
23 knowledge. So we had no comment and no way to
24 talk about this. So Fairhope owns our street
25 now, Taylor Street. Taylor is paved all the way
26 to 3rd.

27 COMMISSIONER JAMES E. (JEB) BALL: Can I
28 ask a question real quick?

1 MS. DEBBIE QUINN: Uh-huh. (Indicates
2 affirmatively.)

3 COMMISSIONER JAMES E. (JEB) BALL: Will
4 you say that again? You said Chris Elliott gave
5 them the street?

6 MS. DEBBIE QUINN: Well, through the
7 County Commission. But he didn't let us know
8 that he was going to do that. He --

9 COMMISSIONER JAMES E. (JEB) BALL: I
10 mean, I don't think --

11 MS. DEBBIE QUINN: He promoted it.

12 COMMISSIONER JAMES E. (JEB) BALL: I
13 just wanted to clarify for the record,
14 Mr. Chairman, I don't -- I don't think one person
15 can give a street away.

16 COMMISSION CHAIRMAN CHARLES F. (SKIP)
17 GRUBER: No. Huh-uh. (Indicates negatively.)

18 MS. DEBBIE QUINN: Well, he promoted it.
19 And --

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)
21 GRUBER: Well, he -- he might have promoted it.
22 It's like I told you, Debbie, the other day, you
23 know, it never came before the Commission itself,
24 you know. And you had -- Well --

25 MS. DEBBIE QUINN: Yeah. Well, he also
26 promoted not opening up any of the right-of-ways.

27 COMMISSION CHAIRMAN CHARLES F. (SKIP)
28 GRUBER: Yeah.

1 MS. DEBBIE QUINN: He and Tucker Dorsey,
2 and came to all the meetings and helped us get
3 that. And then, of course, it never came to the
4 County Commission, so they never got -- none of
5 them got voted on --

6 COMMISSIONER JOE DAVIS, III: So they --

7 MS. DEBBIE QUINN: -- by the Commission.

8 COMMISSIONER JOE DAVIS, III: He may
9 have proposed it. But if four people didn't vote
10 on it --

11 MS. DEBBIE QUINN: Right.

12 COMMISSIONER JOE DAVIS, III: -- then it
13 really --

14 MS. DEBBIE QUINN: But --

15 COMMISSIONER JOE DAVIS, III: -- didn't
16 do anything.

17 MS. DEBBIE QUINN: But we didn't know
18 about it so we didn't --

19 COMMISSIONER JOE DAVIS, III: Well,
20 okay.

21 MS. DEBBIE QUINN: -- get a -- we didn't
22 get to comment on it. We didn't get to voice any
23 opinion or -- It got done.

24 COMMISSIONER JOE DAVIS, III: Well, did
25 it get done? I mean --

26 MS. DEBBIE QUINN: Yeah, it got done.

27 COMMISSIONER JOE DAVIS, III: So -- so
28 three of the four Commissioner voted on it?

1 MS. DEBBIE QUINN: At least, you know.

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: Huh-uh. (Indicates negatively.)

4 MS. DEBBIE QUINN: The City of Fairhope
5 voted on it and --

6 COMMISSION CHAIRMAN CHARLES F. (SKIP)

7 GRUBER: The City of Fairhope -- the County
8 didn't.

9 COMMISSIONER JOE DAVIS, III: See?
10 That's --

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: The County never voted on it.

13 MS. DEBBIE QUINN: It was accepted.

14 COMMISSIONER BILLIE JO UNDERWOOD:
15 Can -- can we -- can we defer to Frank for a
16 moment?

17 COMMISSION CHAIRMAN CHARLES F. (SKIP)

18 GRUBER: Excuse me.

19 COMMISSIONER BILLIE JO UNDERWOOD: He --
20 he had a comment about that.

21 MR. FRANK LUNDY: Well, if you'd just
22 like me to clarify this just a little bit --

23 COMMISSIONER JOE DAVIS, III: Oh,
24 please.

25 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.

26 MR. FRANK LUNDY: -- as we alluded to
27 this, it was annexed on both sides prior to 1995.
28 Anyway, we -- we approached the City. The County

1 discussed it. We approached the City.

2 There is an agreement between the County and
3 the City of Fairhope where we agreed to resurface
4 it, we agreed to give it to them, and the City
5 agreed to take it. So there was a mutual --

6 COMMISSIONER JAMES E. (JEB) BALL: It's
7 an accept for maintenance.

8 MR. FRANK LUNDY: -- agreement between
9 the County Commission --

10 COMMISSIONER BILLIE JO UNDERWOOD:
11 Uh-huh. (Indicates affirmatively.)

12 MR. FRANK LUNDY: -- and the City of
13 Fairhope.

14 COMMISSIONER JAMES E. (JEB) BALL: Okay.

15 MS. DEBBIE QUINN: Well, Steve is not in
16 the City of Fairhope, not in the City of
17 Fairhope. It's in the County.

18 MR. FRANK LUNDY: Well, I'm saying the
19 agreement is between the Fairhope City Council --

20 COMMISSIONER JAMES E. (JEB) BALL:
21 Right.

22 MR. FRANK LUNDY: -- and the County
23 Commission.

24 MS. DEBBIE QUINN: So --

25 MR. FRANK LUNDY: But it is in place.

26 COMMISSIONER JAMES E. (JEB) BALL: It's
27 called an AFM. It's a -- it's a road that they
28 accept.

1 MS. DEBBIE QUINN: I can --

2 COMMISSIONER JAMES E. (JEB) BALL: We --
3 we agreed to pave that --

4 MS. DEBBIE QUINN: Well, he -- she -- he
5 jumped started it for me. And I said, Chris, I
6 didn't -- I didn't ask you to do that, and I
7 didn't want you to do that. So just for
8 clarification, so anyway --

9 COMMISSIONER JOE DAVIS, III: It had
10 nothing to do with us. But go ahead.

11 MS. DEBBIE QUINN: -- 3rd Street has
12 never been cut. It's never been -- it's never
13 had a saw on it. But the Thomasson property has
14 been logged at least three times that I've known
15 about it since I've lived here, which is 1986.

16 That's when we moved to Montrose. I grew up
17 in Fairhope. So it's been logged three times.
18 And so there's a logging road right down the
19 middle of it.

20 COMMISSIONER BILLIE JO UNDERWOOD: You
21 mean like the timber has been cut?

22 MS. DEBBIE QUINN: The timber has been
23 cut.

24 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
25 I was making sure I understood.

26 MS. DEBBIE QUINN: So there's a logging
27 road. They never put any BMPs on it so it's not
28 in the greatest shape. But there is a road.

1 You can hike it. There's been mountain
2 bikers on it, maybe some ATVs. I don't know. I
3 know there's been some campers on it. There's
4 been some -- There's old fires on it.

5 There's also an access road out to the
6 four-lane from there. There's also access under
7 the power lines. There's a road.

8 So what we're hoping and -- and looking at is
9 before we get into the whole 3rd Street
10 conversation of opening it, not opening, if they
11 just want access to the property to look at lots,
12 they've got plenty of access off of Highway 98
13 and the logging road.

14 They don't really need to cut another road
15 and then worry about the rains and the -- It's
16 a -- It gets very steep in there when you start
17 getting right behind Dovecote towards -- what
18 is -- the Ledger Street.

19 It gets very steep right up in here. So you
20 get a lot of erosion. And that's what's happened
21 to the logging road a little bit.

22 And so it'd be better if they just improve
23 the logging road a little bit and let them use
24 that for their access and come in and off the
25 four-lane.

26 There's a huge gully not far off that dotted
27 line on 3rd Street at the north end that they're
28 not going to be able to get over with a pickup

1 truck or a -- or a -- a bobcat to be able to go
2 in there and clear what they want to clear.

3 So they're going to have to come in off
4 Taylor Street do all that. That's my street.
5 That was just newly paved.

6 And so we -- we just think that, you know,
7 their prior PUD said we -- we don't want to
8 bother your road. We don't want to bother the
9 right-of-way.

10 And now, all of the sudden, they want to do
11 it. And we just think that until they figure out
12 what they want to do, let's just keep them in
13 their property. They've got plenty of access.

14 COMMISSIONER BILLIE JO UNDERWOOD:
15 Can -- can I ask a question? This was an
16 addendum. I didn't really --

17 COMMISSION CHAIRMAN CHARLES F. (SKIP)
18 GRUBER: Yeah.

19 COMMISSIONER BILLIE JO UNDERWOOD: --
20 get enough information. Can we postpone this to
21 another work session?

22 MR. WAYNE DYESS: That'd be up to the --
23 to the --

24 COMMISSION CHAIRMAN CHARLES F. (SKIP)
25 GRUBER: If y'all want, you know --

26 MR. WAYNE DYESS: -- Commission. If you
27 wish, we can certainly put it on -- on the next
28 work session to go to the following meeting.

1 That's up to -- that's -- that's at your
2 direction.

3 MR. LARRY CHASON: May I please --

4 MR. WAYNE DYESS: Is there any -- Frank,
5 is there any -- is there any time-sensitive
6 issues for this at all?

7 MR. FRANK LUNDY: Not that I'm aware of.
8 I -- our folks don't have an issue with that.
9 Mr. Chason may want to --

10 MR. LARRY CHASON: I -- All I want to
11 say is that if we were here, like I originally
12 wanted to be, and that was to get permission to
13 do work in the County's right-of-way to improve
14 and build a street, I would see what you're
15 saying.

16 We're basically wanting to cut the grass. I
17 mean, we're not asking to design and build a
18 road, that this is a County right-of-way.

19 They had suggested that we just get to the
20 east of it and -- and do our clearing, which
21 that's a possibility. But why would you
22 duplicate a sixty-six (66) foot? And -- and all
23 we want to do right now is mow it and stake the
24 lots of record. That's all.

25 COMMISSIONER BILLIE JO UNDERWOOD: Okay.
26 This is what's my reasoning for asking, is that I
27 honestly feel like when we have addendums, they
28 should not be very controversial things. And I

1 feel like this is a controversial item.

2 COMMISSIONER JOE DAVIS, III: Uh-huh.

3 (Indicates affirmatively.)

4 COMMISSIONER BILLIE JO UNDERWOOD:

5 And --

6 MR. CHAD WEST: It was a mistake that it
7 ended up --

8 COMMISSIONER BILLIE JO UNDERWOOD: Huh?

9 MR. CHAD WEST: It was a mistake that it
10 ended up an addendum.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Yeah.

13 MR. CHAD WEST: It wasn't --

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)

15 GRUBER: It was -- it was supposed to have been
16 on the thing. Yeah.

17 COMMISSIONER BILLIE JO UNDERWOOD: So, I
18 mean --

19 COMMISSION CHAIRMAN CHARLES F. (SKIP)

20 GRUBER: And it --

21 COMMISSIONER BILLIE JO UNDERWOOD: --
22 like before today, we really just kind of get
23 this information mostly, you know, now. And
24 it's -- it's kind of -- I know that we have a
25 regular meeting next week. But that was just
26 where I was coming from with the suggestion;
27 okay?

28 COMMISSIONER JAMES E. (JEB) BALL: Well,

1 why don't we -- why don't we keep it on the
2 meeting next week, make it a discussion type?
3 That gives us a week to study it.

4 COMMISSIONER BILLIE JO UNDERWOOD: Fine.

5 COMMISSIONER JAMES E. (JEB) BALL: I
6 mean, I -- I don't want to make these people wait
7 any longer.

8 COMMISSIONER JOE DAVIS, III: Yeah.

9 MS. DEBBIE QUINN: Well, our neighbors
10 faxed a bunch of letters. Did any of y'all get
11 them?

12 COMMISSIONER BILLIE JO UNDERWOOD: Yeah.
13 But it -- I understand the whole context behind
14 it --

15 MS. DEBBIE QUINN: Yeah.

16 COMMISSIONER BILLIE JO UNDERWOOD: --
17 because of it being a --

18 MS. DEBBIE QUINN: Right.

19 COMMISSIONER BILLIE JO UNDERWOOD: --
20 last-minute thing. And with us having
21 meetings --

22 MS. DEBBIE QUINN: We just got the
23 notice --

24 COMMISSIONER BILLIE JO UNDERWOOD: When
25 we have --

26 MS. DEBBIE QUINN: -- like on --

27 COMMISSIONER BILLIE JO UNDERWOOD: -- a
28 meeting, then a workshop, then a meeting, and

1 then a workshop, I can only imagine --

2 MS. DEBBIE QUINN: I agree.

3 COMMISSIONER BILLIE JO UNDERWOOD: --
4 what staff goes through to get this stuff to us.
5 And then, you know, it's presented to us. And --
6 Okay. I'm all right. I'll --

7 COMMISSIONER JOE DAVIS, III:
8 Mr. Chairman, if I could.

9 COMMISSIONER BILLIE JO UNDERWOOD: I'll
10 see it next week, but not as -- It needs to be
11 a -- a discussion item if we do. That would be
12 my suggestion. I'm --

13 COMMISSION CHAIRMAN CHARLES F. (SKIP)
14 GRUBER: Other Staff, then? Okay.

15 COMMISSIONER JOE DAVIS, III:
16 Mr. Chairman, if you, having grown up a hundred
17 (100) miles north of Mobile up in the -- where we
18 grow turkeys, deer, and long leaf pines, when you
19 talk about a logging road, a logging road is to
20 get to the logs and get the logs out of there.

21 It's never thought of as a ultimate route to
22 get to the property. It's designed to go usually
23 high ground, if that's where the trees are, or
24 low ground, if it's not.

25 So to think that how they access to get logs
26 is a viable way to get in and out, unless you
27 keep it cut, it -- the logs were harvested within
28 the last two years, it's already grown back up,

1 and you'll have a hard time finding where the
2 road was.

3 MS. DEBBIE QUINN: It's -- it's pretty
4 much there, because of the erosion that's
5 happened on it. I've walked it many times --

6 COMMISSIONER JOE DAVIS, III: Okay.

7 MS. DEBBIE QUINN: -- with my dogs.

8 COMMISSIONER JOE DAVIS, III: Well, my
9 point is this. My point is this. He's not
10 talking about -- they're not talking about
11 anything but cutting the area that we're
12 responsible for in order to get proper -- what I
13 think is proper access to the property to stake
14 it out.

15 The discussions and where it'll go in the
16 future, everybody will have an opportunity to
17 discuss that. But, to me, this is just
18 fundamental preparation to get to a point where
19 it can be discussed further. That would be my
20 thought.

21 MR. LARRY CHASON: Well, and also I just
22 want to say that when this was platted, 3rd
23 Street was intended to be the access for these
24 lots that we have that are lots of record.

25 We can sell one today, but you'd have no way
26 to get to it. So this is the street that is
27 platted to access these lots. It's just taken a
28 hundred (100) years to need it.

1 ATTORNEY DAVID CONNER: And I'll just
2 add one -- one caveat. Just because lots are
3 platted doesn't mean they're our responsibility.

4 COMMISSION CHAIRMAN CHARLES F. (SKIP)

5 GRUBER: That's right.

6 ATTORNEY DAVID CONNER: They're platted
7 for public -- for access by the public. But, as
8 you can see, the only portion of this street that
9 we've actually undertaken for maintenance,
10 according to Frank, to maintain it is the part
11 there to the north. We've never maintained from
12 that far south.

13 MR. FRANK LUNDY: No, sir.

14 ATTORNEY DAVID CONNER: So I just want
15 to make sure we're clear about that.

16 MR. FRANK LUNDY: Yes, sir.

17 ATTORNEY DAVID CONNER: There's no
18 obligation on us to maintain that portion or take
19 it over. It's thoroughly within your discretion.
20 But he's not asking you to take it over for
21 maintenance. He's just asking --

22 COMMISSIONER JOE DAVIS, III: No.

23 ATTORNEY DAVID CONNER: -- for that --

24 COMMISSIONER JOE DAVIS, III: He's not
25 asking us to take it over for maintenance. He's
26 asking to cut our property so that he can
27 properly identify lots of record.

28 MR. LARRY CHASON: Correct.

1 COMMISSIONER JOE DAVIS, III: That's --

2 MR. LARRY CHASON: Absolutely.

3 COMMISSION CHAIRMAN CHARLES F. (SKIP)

4 GRUBER: Well --

5 MS. DEBBIE QUINN: Well, I will say
6 he -- he wants a twenty (20) foot wide swath,
7 which is big enough for pickup truck. And it's
8 not an ATV.

9 Behind my house is 2nd Street, which is --
10 which is here. And the gentlemen back here
11 wanted to open it about three years ago just --
12 just cut nothing -- nothing large so he could get
13 a pickup truck down there and drop off rock along
14 the creek bed.

15 He ended up cutting everything. He didn't
16 cut anything. I mean, he cut everything. I
17 mean, nobody was down there to pay attention to
18 what he was doing except me. I called the -- the
19 Road and Bridge and people down there. Well, by
20 then, it's all cut. I mean, you can't glue them
21 back together.

22 COMMISSIONER BILLIE JO UNDERWOOD: There
23 ain't no way y'all can get together and tag a few
24 things to cut and make sure, you know, y'all work
25 together on that? Or it just --

26 MS. DEBBIE QUINN: Well, you know --

27 COMMISSIONER BILLIE JO UNDERWOOD: --
28 strictly a no middle ground?

1 MS. DEBBIE QUINN: -- you're not out
2 there when the chain saws are going.

3 COMMISSIONER JAMES E. (JEB) BALL:
4 Mr. Chason, is this just grass?

5 MR. LARRY CHASON: No.

6 MS. DEBBIE QUINN: No, it's not.

7 MR. LARRY CHASON: It's -- it's heavy
8 timber.

9 MS. DEBBIE QUINN: It's not.

10 MR. LARRY CHASON: It's -- it -- it --
11 it'll be somewhat of a challenge. When I say
12 we're not anticipating and don't want to take out
13 anything any bigger than like this. It's
14 primarily underbrush. It is too thick.

15 I mean, you're not -- you're not going to
16 look at this property and tell it's ever been
17 logged. But when -- You can't walk around on
18 this piece of property and know where you are.
19 So that's part of our goal is to --

20 COMMISSIONER JAMES E. (JEB) BALL:
21 Right.

22 MR. LARRY CHASON: -- have a straight
23 line that you can walk down with the stakes so
24 that somebody could say, if I want to buy Lot 3,
25 Block 22, here it is. And they can see the
26 boundaries of it.

27 COMMISSIONER JOE DAVIS, III: Right.

28 MS. DEBBIE QUINN: Well, on 2nd Street,

1 after he -- I don't have ATVs, mountain bikers.
2 I have cars pulling in there now looking around
3 like they think there's a lot for sale.

4 I mean, I don't know what they're doing at
5 night back there, you know. And that's right
6 behind my house. I know my dogs bark a lot.

7 COMMISSIONER JAMES E. (JEB) BALL: Sure.

8 COMMISSIONER BILLIE JO UNDERWOOD: All
9 right. Since we're going to go ahead, I'm
10 familiar, from being on a small town planning
11 commission, we have platted lots out in the
12 middle of soybean fields. There's no -- There's
13 platted roads, but they're unopened.

14 MS. DEBBIE QUINN: Yeah.

15 COMMISSIONER BILLIE JO UNDERWOOD: And
16 these municipalities have no intentions of going
17 there. But I don't understand what would prevent
18 if somebody wanted to build on those lots and own
19 those lots and buy them, if they wanted to pave
20 those roads themselves, why that would be an
21 issue. I mean, you know, it's not an expense --

22 MS. DEBBIE QUINN: We're just worried
23 about the traffic.

24 COMMISSIONER BILLIE JO UNDERWOOD: -- to
25 the taxpayers. Huh?

26 MS. DEBBIE QUINN: The traffic coming in
27 and off --

28 COMMISSIONER BILLIE JO UNDERWOOD: But

1 it's -- but it's already platted, though, you
2 know.

3 MS. DEBBIE QUINN: Well, the County has
4 always assured us they would never open them.

5 COMMISSIONER BILLIE JO UNDERWOOD:
6 Well --

7 MS. DEBBIE QUINN: And now, suddenly,
8 someone wants to open them.

9 ATTORNEY DAVID CONNER: I don't know if
10 that's --

11 COMMISSIONER BILLIE JO UNDERWOOD: Well,
12 that's what --

13 ATTORNEY DAVID CONNER: That's not a
14 true --

15 COMMISSIONER BILLIE JO UNDERWOOD: --
16 I'm saying.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP)
18 GRUBER: Well --

19 COMMISSIONER BILLIE JO UNDERWOOD: But
20 we're --

21 ATTORNEY DAVID CONNER: That's not a
22 true and accurate statement. The County can
23 never assure you of anything.

24 MS. DEBBIE QUINN: Oh, they have.

25 COMMISSIONER BILLIE JO UNDERWOOD: Well,
26 the thing is --

27 COMMISSIONER JOE DAVIS, III: No.

28 COMMISSIONER BILLIE JO UNDERWOOD: --

1 we're not saying that we're --

2 MS. DEBBIE QUINN: They have.

3 COMMISSIONER BILLIE JO UNDERWOOD: I
4 mean, you know, it's not an -- I -- I think it's
5 a delicate situation that's a little bit --

6 COMMISSIONER JOE DAVIS, III: I'm not
7 authorizing --

8 COMMISSIONER BILLIE JO UNDERWOOD: I
9 don't know. I just feel like that it's --

10 MS. DEBBIE QUINN: I know. Well, we're
11 just worried about the four-lane traffic.

12 COMMISSIONER BILLIE JO UNDERWOOD: You
13 don't want it. Bottom line.

14 MS. DEBBIE QUINN: We don't want it.

15 COMMISSIONER BILLIE JO UNDERWOOD: They
16 want access. There's got to be some way for you
17 guys to find middle ground --

18 MS. DEBBIE QUINN: We were just
19 hoping --

20 COMMISSIONER BILLIE JO UNDERWOOD: -- or
21 else --

22 MS. DEBBIE QUINN: -- since they have a
23 PUD now, sitting on top of it, that is a contract
24 between the City of Fairhope and the property
25 owners -- That's the PUD that you have in front
26 of you. Until they figure out what they want to
27 do -- This is a fishing expedition that they're
28 doing. That's all this is. They don't know what

1 they want to do.

2 COMMISSIONER JAMES E. (JEB) BALL: Well,
3 the way --

4 MS. DEBBIE QUINN: They're trying to go
5 and see if anybody might want to buy three (3)
6 acres.

7 COMMISSIONER JAMES E. (JEB) BALL: Well,
8 the way I look at it is, is you're -- you're
9 going from about seventy-seven (77) houses that
10 could be built in there right now to twelve (12).

11 MS. DEBBIE QUINN: Yeah. But in the
12 PUD, they're not supposed to open up any of the
13 right-of-ways.

14 COMMISSIONER JAMES E. (JEB) BALL: I --
15 Still, I mean --

16 MS. DEBBIE QUINN: So until they figure
17 out their fishing expedition, we're saying don't
18 cut any of them until you figure that out.

19 If you're going to get rid of the PUD, well,
20 go get rid of the PUD first and then go do your
21 fishing expedition. But you've got a PUD that
22 says don't open them up.

23 MR. WAYNE DYESS: So, Debbie, are -- are
24 you saying that with the City of Fairhope PUD, if
25 they were to open these right-of-ways, that would
26 violate the PUD that --

27 MS. DEBBIE QUINN: That would violate
28 the PUD.

1 MR. WAYNE DYESS: Okay. But that's --

2 MS. DEBBIE QUINN: Thank you.

3 MR. WAYNE DYESS: -- the City of
4 Fairhope's --

5 MS. DEBBIE QUINN: Thank you.

6 MR. WAYNE DYESS: -- issues to deal
7 with.

8 COMMISSIONER JAMES E. (JEB) BALL: But
9 they're -- all they're doing is -- I don't think
10 they're opening up anything. They're just
11 cutting a -- a straight lane to get some stakes
12 out. So they're not --

13 MR. WAYNE DYESS: So -- so I guess the
14 question is what's the definition of opening up a
15 right-of-way and what's the definition of gaining
16 access to some property?

17 COMMISSIONER BILLIE JO UNDERWOOD:
18 That's a good way to put it. And that's what
19 I've been trying to think of --

20 MR. WAYNE DYESS: Yeah.

21 COMMISSIONER BILLIE JO UNDERWOOD: -- is
22 that --

23 MR. WAYNE DYESS: Right. Because if you
24 open a right-of-way and you build a road to a
25 County standard, that's a tremendous cost.

26 COMMISSIONER BILLIE JO UNDERWOOD: What
27 about if it's just opened up enough to get a
28 little golf cart in there or something? I mean,

1 is that not -- You don't want that, either?

2 MS. DEBBIE QUINN: Well, we want them to
3 get rid of the PUD. And then we know that they
4 are really trying to do this instead of them
5 trying to do this and have the PUD that says
6 don't open it up and --

7 COMMISSIONER JAMES E. (JEB) BALL: Well,
8 that --

9 MS. DEBBIE QUINN: -- don't -- don't cut
10 it.

11 COMMISSIONER JAMES E. (JEB) BALL: That
12 would --

13 MS. DEBBIE QUINN: It's supposed to stay
14 green. Do you have that piece of paper back
15 there that says keep them all green, greenways?

16 COMMISSIONER JAMES E. (JEB) BALL: Well,
17 that's what it would be, a greenway.

18 COMMISSIONER JOE DAVIS, III: And
19 that -- that --

20 MS. DEBBIE QUINN: Well, not if he goes
21 in there and actually cuts it all.

22 COMMISSIONER JOE DAVIS, III: Well, I
23 mean --

24 MR. LARRY CHASON: It --

25 COMMISSIONER JOE DAVIS, III: -- a
26 clearcut is a greenway. It just doesn't have
27 real tall trees.

28 MR. LARRY CHASON: Well, the

1 right-of-way --

2 MS. DEBBIE QUINN: It doesn't have any
3 trees.

4 MR. LARRY CHASON: -- is sixty-six (66)
5 feet wide.

6 COMMISSIONER JOE DAVIS, III: Well, but
7 the --

8 MR. LARRY CHASON: We're only wanting to
9 mow twenty (20) feet of it. We're going to leave
10 forty (40) something feet just like it is. It'll
11 be a wall of brush and trees that they can't see
12 through, nobody can drive through.

13 MR. WAYNE DYESS: Larry, are there white
14 oaks in -- in this area y'all want to cut, or are
15 y'all going to --

16 MS. DEBBIE QUINN: There's --

17 MR. WAYNE DYESS: -- retain those?

18 MR. LARRY CHASON: We -- we don't --
19 we're not wanting to cut any trees.

20 MR. WAYNE DYESS: Right. Got you.

21 MS. DEBBIE QUINN: You have --

22 COMMISSIONER JOE DAVIS, III: You just
23 need access.

24 MR. FRANK LUNDY: If I can clarify that,
25 the -- the -- the request right now is twenty
26 (20) foot wide strips, twelve (12) inch trees and
27 smaller in diameter. So that's what's spelled
28 out. That's what's been requested.

1 MR. WAYNE DYESS: So anything over that
2 would violate the agreement, and y'all would stop
3 them if they were doing it.

4 MR. FRANK LUNDY: Yes.

5 MR. WAYNE DYESS: Okay.

6 MS. JULIE BARLOW: May I say something?

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: Yes, please do.

9 MS. JULIE BARLOW: And I'm in the area.
10 I bought --

11 THE COURT REPORTER: What's your name?

12 MS. JULIE BARLOW: My name is Julie
13 Barlow. But he also said that this is the first
14 step to getting approval for the next step, which
15 is going to be to pave it.

16 And that's why it is scaring us, is that this
17 first step is going to lead to numerous steps
18 where they'll start paving 3rd. And then they'll
19 want to get 2nd, and they'll want to start
20 cutting trees, which will destroy our historic
21 neighborhood.

22 COMMISSIONER JAMES E. (JEB) BALL: Well,
23 they -- Frank, correct me if I'm wrong. If
24 they -- if they wound up paving it one day, then
25 the PUD has to go away; is that right?

26 MS. DEBBIE QUINN: Well, no.

27 COMMISSIONER JAMES E. (JEB) BALL: Or
28 can they keep --

1 MS. DEBBIE QUINN: They can still have
2 it.

3 COMMISSIONER JAMES E. (JEB) BALL: Can
4 y'all keep the PUD and have your --

5 MR. LARRY CHASON: We -- we would go
6 back to Fairhope and request that they re-zone it
7 back to R-1, where it was, which is the most
8 restrictive zone they have.

9 So it would be hard for me to believe that
10 Fairhope would approve seventy-seven (77), what,
11 relatively small lots but they wouldn't want to
12 go back to what Montrose is, which is two (2) and
13 three (3) acre parcels. We're -- we're more
14 consistent with this proposal than the other.

15 And I appreciate that they worked with us on
16 the other proposal. But it's not apparent that
17 it's going to fly. I just -- It may.

18 But I, personally -- I mean, just if I lived
19 there, I would rather see fifteen (15) lots
20 cleared for houses than I would seventy-seven
21 (77) lots cleared. Because you're basically
22 going to take about eighty-five (85%) to ninety
23 percent (90%) of the trees off that site when you
24 clear for seventy-seven (77).

25 Now, what they were willing to do is have a
26 conservation easement. And -- and -- and we
27 still want to have -- down around Rock Creek, we
28 still want to have an amenity, if you will, of an

1 area that's available to the people that buy
2 these fifteen (15) lots, that they can walk down
3 to the creek. The creek is really pretty there.
4 It's a lot prettier than it is over on the east
5 side of 98 where they developed Rock Creek.
6 Okay.

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: Okay. Anything else?

9 MR. JON WELLS: If I may?

10 COMMISSION CHAIRMAN CHARLES F. (SKIP)

11 GRUBER: Yes.

12 THE COURT REPORTER: State your name,
13 please.

14 COMMISSION CHAIRMAN CHARLES F. (SKIP)

15 GRUBER: State -- Yeah.

16 MR. JON WELLS: My name is Jon Wells.
17 And this is my property right here, I believe.
18 And I -- I moved in there about a year ago. And
19 I brought a letter from one of my neighbors who's
20 lived in -- on that section of the street for the
21 longest of any of us who live there. And I'll be
22 happy to read her letter or submit it --

23 COMMISSIONER JOE DAVIS, III: For the
24 record.

25 MR. JON WELLS: -- for the record --

26 COMMISSIONER BILLIE JO UNDERWOOD:
27 What's it --

28 MR. JON WELLS: -- if I may.

1 COMMISSIONER BILLIE JO UNDERWOOD: Is it
2 for or against?

3 MR. JON WELLS: It's -- it's against.

4 COMMISSIONER BILLIE JO UNDERWOOD:
5 Against. Okay.

6 MR. JON WELLS: Elizabeth and Robert
7 Day.

8 MS. DEBBIE QUINN: Yeah.

9 COMMISSIONER JAMES E. (JEB) BALL: Are
10 they just against it for the same reasons that
11 she's against it?

12 MR. JON WELLS: I think we have
13 different reasons.

14 COMMISSIONER JOE DAVIS, III: Now, are
15 you in the county where your lot is or --

16 MR. JON WELLS: My house is in the
17 county.

18 COMMISSIONER JOE DAVIS, III: Okay.
19 That's what I was looking at, the difference.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)
21 GRUBER: Okay.

22 *****

23 *ATTACHMENT 3 - LETTER FROM ELIZABETH AND ROBERT DAY*

24 *****

25 MS. DEBBIE QUINN: I will say between
26 Taylor and 3rd, there's probably about sixty (60)
27 individuals. So we have about eight (8) here
28 today. We had a meeting over the weekend. And

1 there was probably about thirty (30) of us. So
2 we have -- you know, we have a voice that we --
3 we want to be heard. So --

4 COMMISSIONER JOE DAVIS, III: But your
5 position is you don't want anything done --

6 MS. DEBBIE QUINN: Well, not until they
7 make a decision on what they want to do, you
8 know. And we don't want a fishing expedition,
9 and then they go back to the PUD, and you've got
10 3rd Street semi-opened, you know, with all kinds
11 of things going on.

12 ATTORNEY DAVID CONNER: Mr. Chairman, if
13 he'd like to leave that with Staff and Staff
14 can --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP)
16 GRUBER: Yeah.

17 ATTORNEY DAVID CONNER: -- circulate
18 that letter to you all.

19 COMMISSIONER JOE DAVIS, III: Yeah.

20 COMMISSION CHAIRMAN CHARLES F. (SKIP)
21 GRUBER: Staff. Yeah.

22 MR. JON WELLS: Thank you.

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: Okay.

25 MR. JON WELLS: My -- my concern about
26 this is that 3rd Street north of this subject
27 clearing is only about -- I went out there and
28 tape measured it. And -- and at an average

1 width, the street, itself, is only about twelve
2 (12) -- twelve (12) feet wide.

3 And there are -- there are portions of the --
4 of the street, especially right at the end of it
5 where the historic cemetery is and the stand of
6 trees that are directly across the street where
7 it's -- it's not much more than fifteen (15) feet
8 clearance for anything to get through there.

9 Now, I'm a new resident here. And I know
10 that several of the other residents or all -- all
11 of the residents have concerns about the
12 character of the -- whatever is going to be added
13 to the end of our neighborhood.

14 And it's a quiet one-lane street. You have
15 to be courteous to your neighbors that go by,
16 because you have to pull off the road to let
17 someone else come back the other way.

18 The only access to this area, to this road
19 here goes -- would be coming down that one-lane
20 paved street. So any -- any construction that
21 has to go through there is going to have to go
22 down that one-lane street.

23 Our next concern, though, is that -- is that
24 it sounds like their intention is if they ever do
25 develop it, to make it similar to what we have
26 where we -- where the roads meanders around the
27 trees.

28 But this diagram here shows a twenty (20)

1 foot wide swath that's going to go twice the
2 length of our current neighborhood that is much
3 wider and --

4 COMMISSIONER BILLIE JO UNDERWOOD: Can
5 I -- can I -- can I interrupt you --

6 MR. JON WELLS: Yeah.

7 COMMISSIONER BILLIE JO UNDERWOOD: --
8 for just a minute?

9 MR. JON WELLS: Yes.

10 COMMISSIONER BILLIE JO UNDERWOOD: You
11 know, we had requested some information from
12 Fairhope and didn't get it back. I think we need
13 some more specifics before we can move forward.
14 And I would like to go back to my original thing,
15 that we postpone this.

16 MS. DEBBIE QUINN: We agree with that.

17 COMMISSION CHAIRMAN CHARLES F. (SKIP)
18 GRUBER: Okay.

19 COMMISSIONER BILLIE JO UNDERWOOD: Not
20 put it on the meeting for next Tuesday but --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)
22 GRUBER: All right.

23 COMMISSIONER BILLIE JO UNDERWOOD: --
24 postpone it until --

25 COMMISSION CHAIRMAN CHARLES F. (SKIP)

26 GRUBER: If that's y'all's wish, you know,
27 then --

28 COMMISSIONER JOE DAVIS, III: I -- I

1 would prefer to leave it on there.

2 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

3 COMMISSIONER JOE DAVIS, III: We can
4 vote it up or down or we can --

5 COMMISSION CHAIRMAN CHARLES F. (SKIP)
6 GRUBER: Okay.

7 COMMISSIONER JOE DAVIS, III: --
8 postpone it --

9 COMMISSIONER BILLIE JO UNDERWOOD:
10 That's fine, too.

11 COMMISSIONER JOE DAVIS, III: -- at that
12 time.

13 COMMISSIONER BILLIE JO UNDERWOOD:
14 Either one.

15 COMMISSIONER JOE DAVIS, III: I'd like
16 to move it along.

17 COMMISSIONER BILLIE JO UNDERWOOD: But I
18 think we need some more of this information
19 before, in time to be on the regular agenda. And
20 if it has to be an addendum and don't come in
21 until Monday night, that's not fair, you know.

22 MR. LARRY CHASON: Can I ask, while
23 you're getting your information --

24 COMMISSIONER JOE DAVIS, III: Get all
25 the information.

26 MR. LARRY CHASON: -- to -- to look into
27 the fact of what has transpired between the
28 County and the City of Fairhope over the last

1 several years with other similar right-of-ways?

2 Because those -- those licenses have been
3 granted to do this work. So we're not like the
4 first one to ever ask to do this.

5 So we're -- we're -- We want to -- I think
6 y'all would want to be consistent with what
7 you've done in the past.

8 Ms. -- Ms. Debbie was talking about -- Was
9 that -- I don't know if that was 2nd Street
10 that -- that the County authorized Martin Pitts
11 and allowed him to cross over the County
12 right-of-way to get to the backside of his
13 property.

14 COMMISSIONER BILLIE JO UNDERWOOD: Well,
15 it would be interesting to learn the dates these
16 were done and --

17 COMMISSIONER JOE DAVIS, III: Right.

18 COMMISSIONER BILLIE JO UNDERWOOD: --
19 when they were done and who --

20 MR. LARRY CHASON: Oh, I --

21 COMMISSIONER BILLIE JO UNDERWOOD: --
22 who did this --

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)
24 GRUBER: Yeah. Well --

25 COMMISSIONER BILLIE JO UNDERWOOD: --
26 and that kind of stuff. But -- but --

27 MR. LARRY CHASON: We've been working on
28 it for years. We --

1 COMMISSIONER BILLIE JO UNDERWOOD:

2 But --

3 MR. LARRY CHASON: We're okay.

4 COMMISSIONER BILLIE JO UNDERWOOD: But

5 I'm like --

6 MR. LARRY CHASON: But I -- I really --

7 COMMISSIONER BILLIE JO UNDERWOOD: You

8 know, it's --

9 MR. LARRY CHASON: I -- All we want to
10 do is do some mowing now. The real issue will
11 come up later.

12 COMMISSIONER BILLIE JO UNDERWOOD: I
13 don't -- I don't -- I -- I understand. I just
14 feel like that there needs to be some kind of a
15 way to have a better understanding amongst the --
16 the -- the pros and the cons.

17 And I don't know if that's possible, but I
18 just feel like this is being brought in without,
19 you know -- It was -- it was late.

20 MR. LARRY CHASON: Well, and --

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)

22 GRUBER: Okay.

23 MR. LARRY CHASON: -- as you heard, over
24 the last fifty (50) or sixty (60) years that the
25 Thomassons have owned this, this fifty (50)
26 something acres has been a recreational area for
27 everybody that lives in Montrose.

28 It's their property. They want to sell it.

1 They're into the third generation, fixing to go
2 into the fourth generation of ownership.

3 I think that -- I would -- I hope you'll
4 consider the fact that they've been good stewards
5 about it.

6 COMMISSIONER BILLIE JO UNDERWOOD: I
7 don't have an opinion --

8 MR. LARRY CHASON: They --

9 COMMISSIONER BILLIE JO UNDERWOOD: --
10 one way or another right now. I just feel
11 like --

12 COMMISSION CHAIRMAN CHARLES F. (SKIP)
13 GRUBER: Hold on. Hold on. Hold on.

14 COMMISSIONER BILLIE JO UNDERWOOD: -- I
15 need more information.

16 MS. DEBBIE QUINN: So have we. As a
17 group, we have tried to work with -- with him.

18 MR. LARRY CHASON: I appreciate it.

19 MS. DEBBIE QUINN: So we need to have
20 our voice heard also.

21 MR. LARRY CHASON: I want -- I want you
22 to. That's why we're here. But we're not trying
23 to force some major change today. We're just --

24 COMMISSIONER BILLIE JO UNDERWOOD: I
25 guess where I'm at is there is some -- some
26 issues have been brought up about the City of
27 Fairhope's involved. We haven't -- You said you
28 didn't hear back from them before this; is that

1 right?

2 MR. FRANK LUNDY: That's correct.

3 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

4 And that was where I was at; okay? We need to
5 get that information back from them, and in a
6 timely manner, so that it can be put an a regular
7 agenda, so that we have all the information that
8 we can -- we can see and have a -- a -- It's not
9 fair to get stuff at the ninth hour and expect to
10 know it all, with all the other stuff that we
11 have.

12 MR. LARRY CHASON: I -- I understand.

13 MR. FRANK LUNDY: We'll reach back out
14 to the City today --

15 COMMISSION CHAIRMAN CHARLES F. (SKIP)

16 GRUBER: Okay.

17 MR. FRANK LUNDY: -- and talk to Wayne.
18 And I'll -- So we'll -- we'll -- we'll make
19 contact with them and get an answer in the
20 morning.

21 COMMISSIONER BILLIE JO UNDERWOOD: Okay.

22 COMMISSION CHAIRMAN CHARLES F. (SKIP)

23 GRUBER: All right. Thank y'all.

24 MR. LARRY CHASON: Thank y'all.

25 COMMISSION CHAIRMAN CHARLES F. (SKIP)

26 GRUBER: Okay. Is that it, Wayne, that you had
27 as far as --

28 MR. WAYNE DYESS: Yes, sir.

1 COMMISSION CHAIRMAN CHARLES F. (SKIP)

2 GRUBER: -- the stuff that's out there.

3 MR. WAYNE DYESS: That's all we have on
4 the agenda.

5

6 **R - PUBLIC COMMENT**

7 COMMISSION CHAIRMAN CHARLES F. (SKIP)

8 GRUBER: Okay. Is there any public comments?

9 (No response.)

10

11 **S - PRESS QUESTIONS**

12 COMMISSION CHAIRMAN CHARLES F. (SKIP)

13 GRUBER: Press questions?

14 (No response.)

15 COMMISSION CHAIRMAN CHARLES F. (SKIP)

16 GRUBER: No press questions. Okay.

17

18 **T - COMMISSIONER COMMENTS**

19 COMMISSION CHAIRMAN CHARLES F. (SKIP)

20 GRUBER: Commission comments?

21 COMMISSIONER BILLIE JO UNDERWOOD:

22 (Indicates negatively.)

23 COMMISSION CHAIRMAN CHARLES F. (SKIP)

24 GRUBER: Hearing none --

25 COMMISSIONER JOE DAVIS, III: Well,

26 Mr. Chairman, if I could.

27 I would like for us to consider a policy.

28 And I don't have it, personally, but I'm going to

1 get it. I would like for us to consider that all
2 of the staff and all of the employees and all of
3 the elected officials have on their phone their
4 medication.

5 We had a situation happen recently where that
6 might have been helpful. You can't make people
7 do it. But there's an app that you can put on
8 your phone that will show your medication.

9 It will not get abused or sent to other
10 folks. But sometimes it might be very helpful
11 for us to be able, like we had the other day,
12 when someone went to the ground, to be able --
13 Because one of the questions was: Is she on any
14 medication? What was it?

15 And this sort -- So I'm going to get that
16 app. And once I get it for my wife and I and my
17 family --

18 COMMISSIONER BILLIE JO UNDERWOOD: If
19 our phone is locked, though, how can they unlock
20 our phone if we can't communicate?

21 COMMISSION CHAIRMAN CHARLES F. (SKIP)
22 GRUBER: Yeah.

23 COMMISSIONER BILLIE JO UNDERWOOD: That
24 was my question.

25 COMMISSIONER JOE DAVIS, III: That --
26 that can be -- that can be addressed. But my
27 point is it -- it might have been a horrible
28 situation had we done something that we didn't

1 know about. Anyway, let me -- I want us all --

2 COMMISSION CHAIRMAN CHARLES F. (SKIP)

3 GRUBER: Okay.

4 COMMISSIONER JOE DAVIS, III: I'd look
5 into it. Because if I fall out in the floor, I'd
6 kind of like y'all to know what I'm on and what
7 I'm taking and all that kind of stuff,
8 particularly when those first few seconds and
9 minutes means so much. So -- But I -- I -- I'll
10 get that app, and I'll bring it back up.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)

12 GRUBER: Okay.

13 COMMISSIONER JOE DAVIS, III: But I
14 think that's something we all ought to consider.
15 And that's a personal decision. So that's
16 something we can do.

17 COMMISSIONER JAMES E. (JEB) BALL: I
18 think online -- I think we talked about it when
19 we were in there. And I think we're going to do
20 it on a -- on some kind of agenda item where we
21 were going to recommend having AED machines
22 distributed throughout our facilities and also
23 the -- the probability of some of us, not all of
24 us, getting trained for CPR.

25 COMMISSIONER JOE DAVIS, III: That's
26 right.

27 MR. WAYNE DYESS: Yeah. And -- and
28 that's underway. Personnel has got that working.

1 And I talked to Wanda about that. So that's --
2 that's on its way.

3 COMMISSIONER JAMES E. (JEB) BALL: Okay.

4 COMMISSIONER JOE DAVIS, III: And one
5 last question, if I could, Mr. Chairman.

6 Do we have an update on Monica and how she's
7 doing, Anu?

8 MS. ANU GARY: She's doing wonderful.

9 COMMISSIONER JAMES E. (JEB) BALL: Oh,
10 she's fine.

11 COMMISSION CHAIRMAN CHARLES F. (SKIP)
12 GRUBER: She's back. She's back at work.

13 COMMISSIONER JOE DAVIS, III: Well, I
14 thought she was.

15 COMMISSIONER JAMES E. (JEB) BALL: She's
16 back to work?

17 MS. ANU GARY: Yeah.

18 COMMISSIONER JOE DAVIS, III: Very good.
19 That's great news.

20 MS. ANU GARY: And she appreciated
21 everyone's calls and cares very much.

22 COMMISSIONER JOE DAVIS, III: Good.
23 Thank you.

24 COMMISSION CHAIRMAN CHARLES F. (SKIP)
25 GRUBER: Okay. Any other comments?

26 (No response.)

27

28 U - ADJOURNMENT

1 COMMISSION CHAIRMAN CHARLES F. (SKIP)

2 GRUBER: If not, do I hear a motion that we
3 adjourn?

4 COMMISSIONER JAMES E. (JEB) BALL: So
5 moved.

6 COMMISSIONER JOE DAVIS, III: So moved.
7 Second.

8 COMMISSION CHAIRMAN CHARLES F. (SKIP)

9 GRUBER: A motion made by Commissioner Ball,
10 seconded by Commissioner Davis. We are adjourned
11 11:55.

12

13

14 (The Baldwin County Commission Work Session was
15 adjourned at 11:55 p.m.)

16

17

18

Billie J. Underwood

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C E R T I F I C A T E

STATE OF ALABAMA)

BALDWIN COUNTY)

I hereby certify that the above and foregoing transcript was taken down by me in stenotype and the proceedings were transcribed by means of computer-aided transcription, and that the foregoing represents a true and correct transcript of the meeting given by said parties upon said meeting.

I further certify that I am neither of counsel nor of kin to the parties, nor am I in anywise interested in the result of said proceedings.



SUSAN C. ANDREWS,
Certified Court Reporter,
Certification No. 287

#	'			
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Z-19025 [3] - 7:25, 30:7, 30:17 Z-19037 [3] - 8:4, 33:6, 33:10 Z-19038 [5] - 8:5, 10:11, 35:14, 35:19, 40:1 zero [1] - 33:19 Zero [1] - 31:20 zone [12] - 30:18, 33:19, 35:24, 48:23, 50:20, 51:10, 79:7, 81:19, 81:20, 88:7, 252:6, 252:8 zoned [9] - 33:28, 36:7, 36:9, 36:15, 37:5, 58:14, 105:18, 213:17, 214:5 ZONING [5] - 7:24, 8:3, 55:14, 58:1, 75:20 zoning [48] - 33:11, 33:25, 34:16, 34:24, 34:27, 35:20, 35:28, 36:7, 36:10, 36:16, 36:19, 37:4, 37:9, 37:18, 38:24, 43:1, 47:3, 54:8, 54:10, 54:14, 56:13, 57:16, 58:13, 58:24, 59:3, 59:6, 68:2, 82:11, 87:7, 87:8, 87:19, 96:1, 105:13, 105:19, 105:20, 105:21, 105:26, 105:27, 105:28, 107:18, 109:16, 110:2, 110:13, 111:28, 113:26, 114:3 Zoning [14] - 3:8, 8:8, 8:10, 8:13, 30:10, 37:1, 55:26, 58:7, 59:13, 64:2, 71:20, 71:21, 88:7, 110:23

Petition of Opposition to proposed
rezoning, Case Z-19038 Bankester Property:

Collected local residents' comments

Comments

Name	Location	Date	Comment
Matt Burnett	Bay Minette, AL	2019-10-05	"We do not need three Dollar General stores within 12 miles of Hwy 225."
David DABNEY	Bay Minette, AL	2019-10-05	"We have the Dollar General 5 miles to the south and 5 miles to the north. This particular area has high traffic with no signals for 5 miles in either direction. This spot is not suited for a retail business."
Jim Hellekson	OCALA, FL	2019-10-05	"That's a very dangerous section of road, especially the intersection. I don't believe we need to put commercial property there and add to the danger. Besides, as others have already stated, we have enough stores that are within a short distance of this intersection now. So please, NO RE-ZONING!!!Think about lives and not profit."
Victoris Dudley	Daphne, AL	2019-10-05	"We do not need more Dollar Generals!"
Chris Nichols	Fairhope, AL	2019-10-07	"Dollar stores are eyesores attracts low income patrons by nature, negatively impact local businesses, devalue in this case the surrounding area that is residential, increase the traffic that disproportionately is used with both residential and commercial vehicles especially when either the bay way or causeway has issues which is near daily. Additionally there are already the same business x 2 on 225 currently"
Steven Wright	Fairhope, AL	2019-10-07	"I moved into my house in 1990,one of the first homes in Bromley. I think that this project would impact my property value in a negative way. We have Dollar Generals north of us and south as well on 225. The are less than 5 miles in either direction. We live in a historic area which should not be disturbed. I'm sure that if Mary Grice was still alive this would not happen. (She was the force that established Blakeley State Park) If this approved, then what would be next! Setting a precedence like this could lead to more commercial development. Listen to the committee and respect their vote against this change. Hopefully our county commissioners will on this leadership not to let this happen! Best regard to all, Steve"
Rita Wright	Fairhope, AL	2019-10-07	"What a beautiful place Bromley is. WHat a shame it would be to destroy that beauty with a Dollar General store. It is not needed nor wanted by the majority of our neighbors. Please help us retain the beauty of Bromley by stopping the commercialization of this area."
James Butler	Spanish Fort, AL	2019-10-07	"No more Dollar Generals! We don't need 3 within 10 miles."

Name: Marc and Alison Hill

**Address: 7371 Saluda Blvd
Spanish Fort, AL 36527**

Date/Additional comments:

October 3, 2019

As long time Saluda Ridge residents we are opposed to the building of any retail establishment at the intersection of 225 and Bromley Road. 225 is a high speed, visually challenging two lane road that has experienced numerous accidents. I have personally witnessed 3 accidents at the entrance of Saluda Ridge when someone was simply trying to turn in to the subdivision. Having a facility with multiple visitors slowing or stopping on 225 is a recipe for disaster. Also we are far from medical care than other areas when such accidents occur.

Homeowners choose to live as far from "town" as we do because of the privacy , natural surroundings and quietness. All of these will be distributed with a retail establishment. Our home values will diminish with the distribution of these amenities.

Furthermore there are two Dollar Generals located on 225 in less than a 15 mile stretch. Having an additional store

within that stretch is redundant.

In 15 years of hurricanes and coastal weather we have never flooded, even in the lower portions of our neighborhood. The area suggested for the Dollar General is lower than the two prior neighborhoods (Saluda Ridge and Bromley) . The continuation of removing trees and pouring concrete has its consequences. Having one of the highest annual rainfalls in the country should be a major factor in any construction.

**Thank you for your consideration of these concerns
Marc and Alison Hill**

Amy Hadley
7440 River Road
Bay Minette, AL 36507
(251)377-3148
8/20/2019

Baldwin County Planning and Zoning Commission
P O Box 220
Silverhill, AL 36576

RE: Case # Z-19038

Dear County Commissioners and Representatives,

The re-zoning request sign on the long-neglected property caught my eye as I reached the end of my quiet road. I made note of the case number so I could look into the matter.

This is not the first time a re-zoning request has been made for properties that lie on the intersection of State Hwy 225 and River Road outside of Bay Minette. On the north side of River Road, there have been requests for re-zoning to build a community center and later, to erect a cell tower. Both of these requests were defeated.

It is my understanding that the current re-zoning request, Case# Z-19038, involves making the property on the south side of River Road at Hwy 225 available for commercial use, specifically to erect a retail store. I object to this for many reasons.

First, the present owner has never resided in our quiet neighborhood, nor have they maintained the property. A decaying old house, held up by vines and undergrowth, is the first thing you see when you turn onto the road. The owner is unconcerned with the affect the property has on the community's residents. While a retail establishment might bring changes to the property, I fear the long-term impact will not be beneficial.

A retail store does not belong in a residential neighborhood. Commerce's place is in our towns and cities; it should not encroach on purely residential areas. We have access to stores a short 5 mile drive in three directions. The Outdoorsman, a locally owned store/gas station, is not even 3 miles away...I'd hate to see these residents of our community lose their business and their livelihood to a large corporation that doesn't care about the locals.

Alabama Hwy 225 is a scenic byway, especially in the areas that adjoin Historic Blakeley State Park. To preserve the natural beauty of the region, we must fight to keep some areas of our beautiful county natural and pristine. We may be 1/2 mile north of the park's entrance, but much of the area is still of historic significance. Our property has a few preserved trenches, and as a boy, my husband found Civil War artifacts here that are now the property of the State Park.

Traffic is another concern. River Road is at the base of a steep hill, and makes a crossroads with Bromley Road to the east. While there is a turning lane for Bromley Road for southbound traffic, there is no turning lane for River Road on the northbound side. As a resident, having strangers stopping at the end of my road, from early morning until late evening, isn't a good prospect. The store could be a target of violent armed robbers, who might then flee into my neighborhood. I'm afraid curiosity seekers will be invading my peace and privacy. I am also opposed to having a view of the back of a store/parking lot.

I'd also like to say that most of the River Road residents have lived here for many years. I have lived here for 37 years, my husband has resided here for 45 years. Roger and Gail Day, Mr. and Mrs. Hannis Rider, Nancy Erwin...all of my neighbors have lived here even longer. I feel that this "progress" will devalue our properties and deface our neighborhood.

As my representatives and county commissioners, your job is to speak for me and my neighbors, and vote in favor of our best interests. You do not represent the Dollar General Corporation. Please leave my neighborhood zoned Residential Only. The property owner requesting this

From: Todd & Natalie natntodd@bellsouth.net

Subject: NO to rezoning Hwy225 @ Bromley Rd

Date: October 6, 2019 at 9:11 PM

To: cgruber@baldwincountyal.gov, jeb.ball@baldwincountyal.gov, bunderwood@bbaldwincountyal.gov,
joe.davis@baldwincountyal.gov



Gentlemen, please continue to uphold the rural-single family status for the parcel @ Hwy 225 & Bromley Road. This is a quiet residential area that we love. Plenty of commercial areas exist just a few miles away and I believe the rezoning of this area to rural/retail will significantly have a negative impact on this area.

Thank you for your time, service to our county, and consideration on this matter.

Natalie Murphy

Saluda Ridge

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN** zoned **RSF-E**, **NOT** be rezoned R/R to allow for the construction of a retail store.

Name:

Joseph Adenald Smith

Address:

*7355 Colonel Grierson Dr.
Spanish Fort, AL 36527*

Date/Additional comments:

NO Retail!

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, *NOT* be rezoned R/R to allow for the construction of a retail store.

Name: Eric Wersel

Address: 35560 Coach Run, Spanish Fort, AL 36527

Date/Additional comments: 10/6/2019

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, *NOT* be rezoned R/R to allow for the construction of a retail store.

Name: Barbara Wersel

Address: 35560 Coach Run, Spanish Fort, AL 36527

Date/Additional comments: 10/6/2019

From: Nextdoor Bromley reply@rs.email.nextdoor.com
Subject: Re: County Commission Meeting Oct. 15
Date: Oct 5, 2019 at 7:53:50 AM
To: lynnharrison@bellsouth.net



Jenn Martindale, Spanish Fort Estates

I agree we have plenty DG's already. I work with firms that build them around the country and DG's goal is to have one every 17 miles.



Thank

[Private message](#)

[View or reply](#)



Turn off notifications for this post

This message is intended for lynnharrison@bellsouth.net. [Unsubscribe here](#). Nextdoor, 875 Stevenson Street, Suite 700, San Francisco, CA 94103



Signatures

Name	Location	Date
Veronica Smith	US	2019-10-04
Tonya Mixon	Spanish Fort, AL	2019-10-04
Ron Thomas	Bay Minette, AL	2019-10-04
James Moore	Stapleton, AL	2019-10-04
Melissa Spriggs	Spanish Fort, AL	2019-10-04
Avery Spriggs	Bay Minette, AL	2019-10-04
Jennifer Ruiz	Spanish Fort, AL	2019-10-04
Linda Caldwell	Bay Minette, AL	2019-10-04
Jerry Smith	Bay Minette, AL	2019-10-04
Maureen Miller	Spanish Fort, AL	2019-10-04
Yolanda Jarman	Bay Minette, AL	2019-10-04
Chris Williams	Bayminette, CT	2019-10-04
Judy Hale	Bay Minette, AL	2019-10-04
Debi Etter	Stockton, AL	2019-10-04
James Counselman	Spanish Fort, AL	2019-10-05
Brenda Carpenter	Spanish Fort, AL	2019-10-05
Blake Cooper	Spanish Fort, AL	2019-10-05
Tara Salter	Bay Minette, AL	2019-10-05
Jamaica Jones	Daphne, AL	2019-10-05
Deanna Gazda	Spanish Fort, AL	2019-10-05

Name	Location	Date
Jeramy Simmons	Daphne, AL	2019-10-05
David DABNEY	Bay Minette, AL	2019-10-05
austin ward	Albany, OR	2019-10-05
Arria Blanton	Spanish Fort, AL	2019-10-05
Emily Akridge	Spanish Fort, AL	2019-10-05
Therese Hart	Bay Minette, AL	2019-10-05
Lee McKeithan	Daphne, AL	2019-10-05
Liz Russell	Spanish fort, AL	2019-10-05
George Brown	Bay Minette, AL	2019-10-05
Yemi Seriki	Bay Minette, AL	2019-10-05
Yulia Maxuitenko	Spanish Fort, AL	2019-10-05
Lauren Richardson	Spanish Fort, AL	2019-10-05
Mary Godwin	Bay Minette, AL	2019-10-05
Charlotte Norrell	Bay Minette, AL	2019-10-05
Mike HELLEKSON	Bay Minette, AL	2019-10-05
Adrienne Duckworth	Spanish Fort, AL	2019-10-05
Charles Duckworth	Spanish Fort, AL	2019-10-05
Mary Geist	Daphne, AL	2019-10-05
Nancy Tanner	Mobile, AL	2019-10-05
Victoris Dudley	Daphne, AL	2019-10-05
Britton Kelly	Bay Minette, AL	2019-10-06
Pam Lauber	Mobile, AL	2019-10-06

Name	Location	Date
Cynthia Cummings	Spanish Fort, AL	2019-10-06
Lesley James	Spanish Fort, AL	2019-10-06
Brenda Anderson	Bay Minette, AL	2019-10-06
Debbie Turner	Bay Minette, AL	2019-10-06
Nadia Maciokas	Spanish Fort, AL	2019-10-06
Thomas Tweed	Bay Minette, AL	2019-10-06
Chase Labrato	Spanish Fort, AL	2019-10-06
Kayla Labrato	Spanish Fort, AL	2019-10-06
Christina Labrato	Spanish Fort, AL	2019-10-06
Lisa Smith	Bay Minette, AL	2019-10-06
carl Smith	baymanette, AL	2019-10-06
Tabatha Middleton	Bay Minette, AL	2019-10-06
Lanette Sliwinski	Bay Minette, AL	2019-10-06
Marisa Delmonico	Seymour, US	2019-10-07
Robert Hyman	Bay Minette, AL	2019-10-07
Stephen Campbell	Spanish Fort, AL	2019-10-07
Linda Russo	Spanish Fort, AL	2019-10-07
Donna Johnson	Bay Minette, AL	2019-10-07
Barbara Natarajan	East Haven, US	2019-10-07
Diane Hyman	Bay Minette, AL	2019-10-07
John Black	Stockton, AL	2019-10-07
Carrie Gleason	Sedalia, US	2019-10-07

Name	Location	Date
Taylor Samsel	Austin, US	2019-10-07
Cindy Firman	saint paul, US	2019-10-07
suzanne sollner-figler	Pittstown, US	2019-10-07
Whitney Watson	Bromley, AL	2019-10-07
Marcia L. Kelly	Bay Minette, AL	2019-10-07
Chris Nichols	Fairhope, AL	2019-10-07
Steven Wright	Fairhope, AL	2019-10-07
Rosalou Maxwell	Bay Minette, AL	2019-10-07
Bettie Ryan	Baton Rouge, LA	2019-10-07
John W Anderson	Bay Minette, AL	2019-10-07
Rose Catanzaro	Bay Minette, AL	2019-10-07
Rita Wright	Fairhope, AL	2019-10-07
Lane Toler	Daphne, AL	2019-10-07
James Butler	Spanish Fort, AL	2019-10-07
Ann Corley	Spanish Fort, AL	2019-10-07

Petition of Opposition to proposed rezoning, Case Z-19038 Bankester Property:

180 signatures

Collected at The Outdoorsman

Owners, Joey and Lil Bit Kobitz
38255 State Highway 225
Bay Minette, AL 36507

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E, NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Lynn Harrison

Address: 7165 Colonel Grierson Drive, Bromley Woods

Signature, Date/Additional comments: L Harrison, 9.30.19
no new retail needed!

Printed Name: Yolanda Fields

Address: 35650 Williams Rd Bay Minette Ala 36507

Signature, Date/Additional comments:

Yolanda Fields. Need no more

Printed Name: Tony A. Snowden

Address: 36604 State Hwy 225 Bay Minette, AL 36507

Signature, Date/Additional comments:

Tony Snowden 9-30-98

Printed Name: EARLE W HATSON

Address: 36501 State Hwy 225
BAY MINETTE AL 36507-8020

Signature, Date/Additional comments:

Printed Name: Michael C Johnson

Address: 35884 Cramblitt Lane, Bay Minette, AL 36507

Signature, Date/Additional comments:

There is already a Dollar General at 138/225 and at 3159+225. We don't need another DG. in Bromley area.

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, NOT be rezoned RR to allow the construction of a retail store.

Printed Name: Sara mixon

Address: 10677 A Whitehouse Fork Rd.
Bay Minette AL 36507

Signature, Date/Additional comments:

Sara mixon 9/30/2019 - DO NOT NEED IT!

Printed Name:

Address: 7474 BROMLEY LN.
BAY MINETTE ALA, 36507

Signature, Date/Additional comments:

James P. Ingram

Printed Name: Delanor Odom

Address: 7740 Cliffs Landing Rd

Signature, Date/Additional comments:

Wade Odom 9-30-19

Printed Name: Earl F. Williams

Address: 35650 Williams Rd.

Signature, Date/Additional comments: Earl F. Williams 9-30-19

there 2 on Hwy 225 already

Printed Name: Shiquila Betts

Address: 313 S. Harte Ave

Signature, Date/Additional comments:

Shiquila Betts

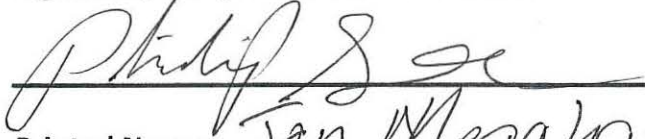
Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, NOT be rezoned RR to allow the construction of a retail store.

Printed Name: Philip Sledge

Address: 11340 Herman Sledge Rd.

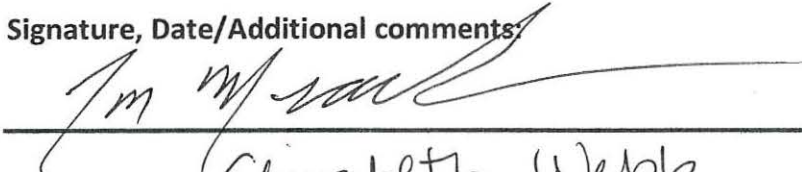
Signature, Date/Additional comments:



Printed Name: Jon Meacham

Address:

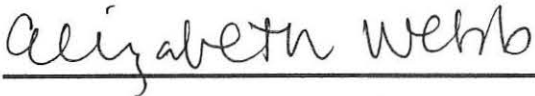
Signature, Date/Additional comments:



Printed Name: Elizabeth Webb

Address: 7235 River Rd. Bay Minette

Signature, Date/Additional comments:



Printed Name: Keith Brown

Address: 9938 Brown Rd

Signature, Date/Additional comments:



Printed Name: Ramona Kobitz

Address: 43870 Honeycutt CT Bay Minette

Signature, Date/Additional comments:

Ramona Kobitz 9-30-19
not needed or wanted

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, NOT be rezoned RR to allow the construction of a retail store.

Printed Name: *Wilton Donald*

Address: *12000 Donald Rd Bay Minette*

Signature, Date/Additional comments:

Wilton Donald *sep 30*

Printed Name: *CONIEL PARRIS*

Address: *35792 PICADA CT BAY MINETTE*

Signature, Date/Additional comments:

Coniel Parris

Printed Name: *Kenneth Williams*

Address:

Signature, Date/Additional comments:

Kenneth Williams

Printed Name: *Michael Cooper*

Address: *37680 Johnson Cemetery Rd*

Signature, Date/Additional comments:

Michael R Cooper *9-30-19*

Printed Name: *Pauline Weaver*

Address: *41778 Weaver Lane*

Signature, Date/Additional comments:

Pauline Weaver *9-30-19*

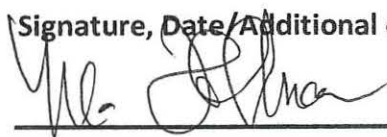
Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, NOT be rezoned RR to allow the construction of a retail store.

Printed Name: Marie Huffman

Address:

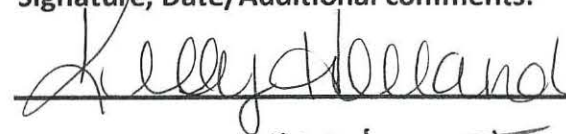
Signature, Date/Additional comments:

 - DON'T NEED ANOTHER ON 225

Printed Name: Kelly Holland

Address: 7785 Bluefield Dr. Bay Minette, AL 36507

Signature, Date/Additional comments:

 9/30/19

Printed Name: Michael Thompson

Address: 12680 Willis Rd Bay Minette AL 36507


Signature, Date/Additional comments:



Printed Name: James Corrao

Address: 601 Rider Ct Bay Minette AL 36507

Signature, Date/Additional comments:

 9/30/19 Don't need no more big stores in the area to hurt our local busin.

Printed Name: Grady Rozum

Address: 9303 Murphy Ave Fairhope AL 36532

Signature, Date/Additional comments:



Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Ryan Box

Address: 8455 Hooks RD Bay Minette, AL 36507

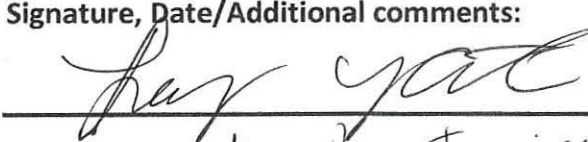
Signature, Date/Additional comments:

 9-30-19

Printed Name: LEROY YATES

Address: 900 W DMLK

Signature, Date/Additional comments:

 9-30-2019

Printed Name: Marilyn Jernigan

Address: Lynnh Ln. Bay Minette, AL

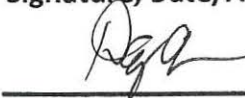
Signature, Date/Additional comments:



Printed Name: Doug Olson

Address: 3302 LAKE MINETTE CIR SF

Signature, Date/Additional comments:

 9/30/19

Printed Name: STACY G. HOOKS

Address: 7900 Hooks Rd.

Signature, Date/Additional comments:



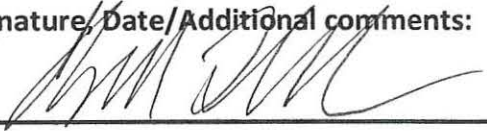
Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, NOT be rezoned RR to allow the construction of a retail store.

Printed Name: Ashley W. Turbeville

Address: 12351 White Rd Bay Minette, AL 36507

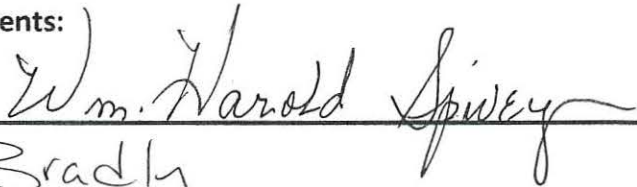
Signature, Date/Additional comments:



Printed Name: Wm Harold Spivey

Address: 7325 Colonel Grierson Dr, Spanish Fort 36527

Signature, Date/Additional comments:

 9-30-19

Printed Name: Vinicky Brady

Address: 38075 Wash Branch Rd, Bay Minette, AL 36507

Signature, Date/Additional comments:

 9-30-19

Printed Name: Wesley Chestang

Address: 12320 White Rd Bay Minette AL 36507


Signature, Date/Additional comments:

 9-30-19

Printed Name: C S. Williams

Address: 37495 State Hwy 225

Signature, Date/Additional comments:



Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN** zoned **RSF-E**, **NOT** be rezoned **RR** to allow the construction of a retail store.

Printed Name: Gene Bryant

Address: 39857 CO RD 39

Signature, Date/Additional comments:

Gene Bryant 9-30-19

Printed Name: Ann Turner

Address: 1345 Minnie

Signature, Date/Additional comments:

Ann Turner

Printed Name: Robert Williams

Address: 608 ASKEW CT

Signature, Date/Additional comments:

Robert Williams 9-30-2019

Printed Name: Charlette Byrd

Address: 39598 St. Hwy 225

Signature, Date/Additional comments:

Charlette Byrd 9/30/2019

Printed Name: James Rodgers

Address: Brown Rd

Signature, Date/Additional comments:

James Rodgers 9/30/19


Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN** zoned RSF-E, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Lydia Dale Walton

Address: 8025 Hooks Rd
Bay Minette, AL 36507

Signature, Date/Additional comments:

 Sept. 30, 2019 "No More Dollar Generals"

Printed Name: Rodney Mosley

Address: 39180 State Hwy 225
Bay Minette AL 36507

Signature, Date/Additional comments:



Printed Name: Sophia Smith

Address: PO Box 625
Bay Minette AL 36507

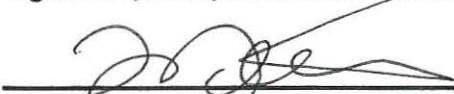
Signature, Date/Additional comments:



Printed Name: Troy Nettles

Address: 7773 Delta Woods Dr. Bay Minette
367-1332

Signature, Date/Additional comments:



Printed Name: Eden Marshall

Address: 39364-B Cog Johnson Rd

Signature, Date/Additional comments:



Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN** zoned RSF-E, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: BRYANT CHRISTIAN

Address: 35241 BALDWIN AVE

STAPLETON, AL 36578

Signature, Date/Additional comments:

D. B. Christian 9-30-19

Printed Name: Angela Schaffer

Address: 10715 Charlie Johnson Rd.

Bay Minette, AL 36507

Signature, Date/Additional comments:

Angela Schaffer 9/30/19

Printed Name: Troy Brown

Address: 9580 Brown Rd Bay Minette. 36507

Signature, Date/Additional comments: *Troy Brown*

Printed Name: Kerry Wallace

Address: 39927 Ryals Rd.

Signature, Date/Additional comments:

Kerry Wallace

Printed Name: Don ANDERSON

Address: 12751 TANNER Lg

Signature, Date/Additional comments:

Don Anderson

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN** zoned RSF-E, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: John Roberts

Address: 101 N. Dobson Av.

Signature, Date/Additional comments: John Roberts

Printed Name: Johnny Jenkins

Address: 45840 Lt Hwy 225

Bay Minette AL 36507

Signature, Date/Additional comments:

Johnny Jenkins

Printed Name: Kevin Hope

Address: 7031 Cannon Ball Circle
Bay Minette, AL

Signature, Date/Additional comments:

K Hope 10/1/19

Printed Name: Calista Chesters

Address: 35710 f.a. Chesters Rd.

Signature, Date/Additional comments:

Calista Chesters

Printed Name: Brooklyn Brown

Address: 38575 Brown Rd S

Signature, Date/Additional comments:

Brooklyn Brown

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Willard J. Barner

Address: 7681 B Wash Branch R.D. EXT

Signature, Date/Additional comments:

Willard J. Barner 10-1-19

Printed Name: John May

Address: - 40151 SE Hwy 225

Signature, Date/Additional comments:

John May 10-1-19

Printed Name: Kayla Byrd

Address: 39530A Willie Earl Buck Rd

Signature, Date/Additional comments: Kayla Byrd

10-1-19

Printed Name: Justin Byrd

Address: 39530A Willie Earl Buck Rd

Signature, Date/Additional comments: Justin Byrd 10-1-19

Printed Name: Amberly Hitson

Address: 37891 Magnolia Church Rd

Signature, Date/Additional comments:

Amberly Hitson 10-1-19

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Joy McDonald

Address: 35791 Hwy 225
Bay Minette AL 36507

Signature, Date/Additional comments:

Joy McDonald 10-1-2019

Printed Name: Jerry Morze

Address: 7193 Hurricane Rd Bay Minette, AL 36507

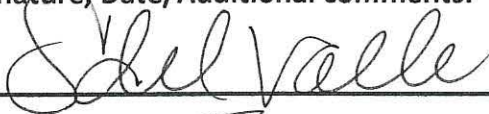
Signature, Date/Additional comments:

 10-1-2019

Printed Name: Sara del Valle

Address: 12160 AD Reder Rd.

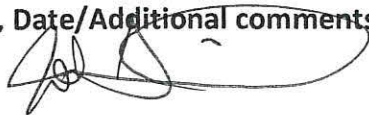
Signature, Date/Additional comments:



Printed Name: Joe Stinson

Address: 30770 Cemetery Rd. Spanish Fort

Signature, Date/Additional comments:



Printed Name: Catherine Stinson

Address: 30770 Cemetery Rd. Spanish Fort

Signature, Date/Additional comments:

Catherine Stinson 10/1/2019

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Ambrose GREEN

Address:

Signature, Date/Additional comments:



Printed Name: Orlando Cox

Address:

Signature, Date/Additional comments:



Printed Name: Joe Atchison

Address:

Signature, Date/Additional comments:



Printed Name: Albert Faulkner

Address:

Signature, Date/Additional comments:



Printed Name: Jeremy James

Address:

Signature, Date/Additional comments:



Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, NOT be rezoned RR to allow the construction of a retail store.

Printed Name: Brent Carl

Address: 38520 Brown Rd S Bay Minette, AL 36507

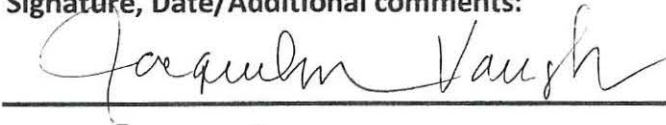
Signature, Date/Additional comments:

 10-1-19

Printed Name: Jacquelyn Vaughn

Address: 10544 Johnson Rd S.
Mobile, AL 36695

Signature, Date/Additional comments:



Printed Name: Richard Cayton

Address: 7653 Blue field DR

Signature, Date/Additional comments:

Bay Minette, AL 36507

Printed Name: Amanda Whitley

Address: 35564 Buck Rd Bay Minette AL 36507

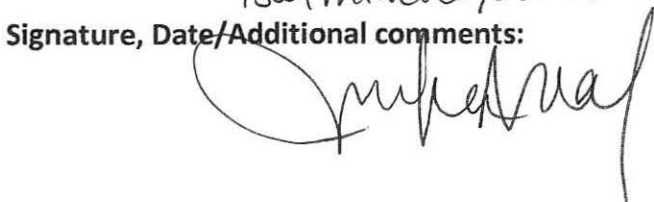
Signature, Date/Additional comments:

Amanda Whitley

Printed Name: Jennifer Neal

Address: 7441 Bluefield Drive
Bay Minette, AL 36507

Signature, Date/Additional comments:



Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN** zoned RSF-E, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: *Clice m Williams*
Address: *R 35625 Williams Rd Bay Minette 36507*

Signature, Date/Additional comments:

Printed Name: *Al Hooks*
Address: *HOOK R-7811 BAY Minette 36507*
Signature, Date/Additional comments:

Printed Name: *Lois White*
Address: *38541 Brown Rd. S
Bay Minette, AL*
Signature, Date/Additional comments: *Lois White*

Printed Name: *Steve Drake*
Address: *9805 13 Brown Bay Minette AL*
Signature, Date/Additional comments: *Steve Drake*

Printed Name: *STEVE DRAKE*
Address: *9915 Soles Ln SPANISH FL*
Signature, Date/Additional comments: *Steve Drake*

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN** zoned RSF-E, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Jeff Hoffman

Address: 40040 White House Fork

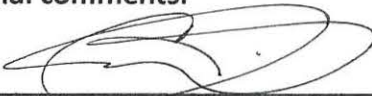
Signature, Date/Additional comments:

10/1/2019 Enough Stores

Printed Name: Carl Smith

Address: 7922 Bluefield Rd

Signature, Date/Additional comments:

10-1-2019 

Printed Name: Allison Slade

Address: 35711 Gravine St
Bay Minette AL 36507

Signature, Date/Additional comments: Allison Slade 10/1/2019

Printed Name: Norma Dierksheide

Address: 7860 Bluefield Drive

Signature, Date/Additional comments:

 10-1-19

Printed Name: Nicholas Shiver

Address:

Signature, Date/Additional comments:

Nicholas Shiver 10-1-19

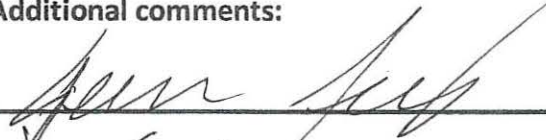
Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Josh Foy

Address: River Rd.

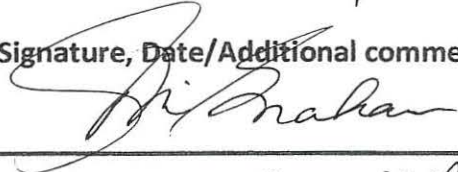
Signature, Date/Additional comments:



Printed Name: Jim Graham

Address: Co. Rd. 39

Signature, Date/Additional comments:



Printed Name: David Boutwell

Address: 41433 ST. HWY 138

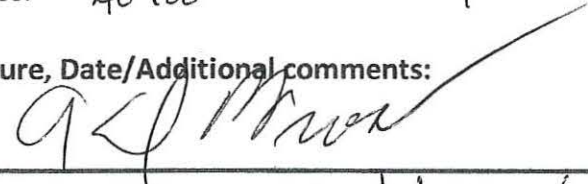
Signature, Date/Additional comments:



Printed Name: AD Brock

Address: 40100 State Hwy 225

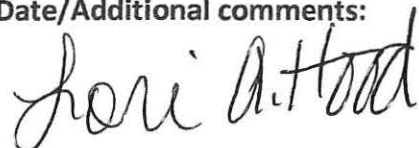
Signature, Date/Additional comments:



Printed Name: Lori Hood

Address: 7800 McWatson Ln.

Signature, Date/Additional comments:



Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, NOT be rezoned RR to allow the construction of a retail store.

Printed Name: Donald Merritt

Address: 37585 Johnson Cemetery Rd
Bay Minette, AL

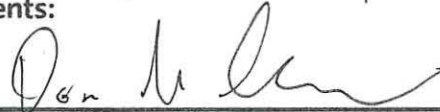
Signature, Date/Additional comments:



Printed Name: Don Davidson

Address: 39100 State Hwy 225 Bay Minette, AL

Signature, Date/Additional comments:



Printed Name: William Sholtz

Address: 8255 DIXON Rd Bay Minette

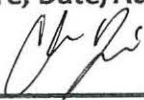
Signature, Date/Additional comments:



Printed Name: Chris Francis

Address: 38181 st. highway 225

Signature, Date/Additional comments:



Printed Name: Grant Huffman

Address: 40040 WHITE HOUSE Fork

Signature, Date/Additional comments:



Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN** zoned RSF-E, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Debbie Robinson

Address: 39150 Willie Earl Buck Rd
Bm

Signature, Date/Additional comments:

Debbie M. Robinson

Printed Name: Carolyn Johnson

Address: 40180 White Horse Fork Rd
Bm

Signature, Date/Additional comments:

Carolyn Johnson 10.21.19

Printed Name: Peter Nelson

Address: 6983 Cloverleaf Landing Road
Bay Minette

Signature, Date/Additional comments:

Peter Nelson - must be kept residential

Printed Name: Debbie Haley

Address: 35595 Coach Run, Spanish Fort 36527

Signature, Date/Additional comments:

Debra J Haley 10/1/19

Printed Name: Charles Hankshew

Address: 12164 Charlie Head rd Stapleton

Signature, Date/Additional comments:

Charles Hankshew 10/1/19

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN** zoned RSF-E, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Rayshawn Hooks

Address: 7880 Hooks RD

Signature, Date/Additional comments:

Rayshawn Hooks October 1, 2019

Printed Name: Victoria Hook

Address: 7880 Hooks Road

Signature, Date/Additional comments:

Victoria Hooks (10-1-19)

Printed Name: Angel Bullock

Address: 7880 Hooks Rd *Build

Signature, Date/Additional comments:

Angel Bullock Oct. 1, 2019 something useful

Printed Name: Tiffany Rider

Address: 12150 Whitehouse Fk Rd Ext.

Signature, Date/Additional comments:

Franklin Brantley

Printed Name: Franklin Brantley

Address: 7870 MG Watson lane

Signature, Date/Additional comments:

Franklin Brantley

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, NOT be rezoned RR to allow the construction of a retail store.

Printed Name: Cynthia McCrindle

Address: 37651 STATE Hwy 225

Signature, Date/Additional comments:

Cynthia McCrindle Just say NO!!

Printed Name: Brad Glassie

Address: 39250 State Hwy 225

Signature, Date/Additional comments:

Brad Glassie

Printed Name: Hannah Baxington

Address: 10077 D Whitehouse Fork Rd

Signature, Date/Additional comments:

Hannah Baxington

Printed Name: Matthew Johnson

Address: 9855 Safari Sunset

Signature, Date/Additional comments:

Matthew Johnson

Printed Name: Heather Powell

Address: 11240 Quinley Rd.

Signature, Date/Additional comments: Heather Powell

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: *Frank Bailey*

Address: *37671 Magnolia Church Rd*

Signature, Date/Additional comments:

Frank Bailey 10/2/19

Printed Name: *William Goodman*

Address: *37821 Magnolia Rd 36507*

Signature, Date/Additional comments:

[Signature] 10-2-19

Printed Name: *Daniel Dixon*

Address: *3086 Delta woods Dr 36507*

Signature, Date/Additional comments:

[Signature] Oct-2-2019

Printed Name: *Mattie Mendenhall*

Address: *9400 Whitehorse Fick Rd. Bay Minette AL 36507*

Signature, Date/Additional comments:

[Signature] 10/2/19

Printed Name: *Jimmy Byrd*

Address: *8690 Byrnes Lake Rd Bay Minette, AL 36507*

Signature, Date/Additional comments:

[Signature] 10/2/19


Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: John Shiver

Address:

Signature, Date/Additional comments:

 10-2-19

Printed Name: Eric Smith

Address:

Signature, Date/Additional comments:

 10-2-19

Printed Name: DAVID SMITH

Address: 37911 MAGNOLIA CHURCH RD BAYMINETTE


Signature, Date/Additional comments:

 10/2/19

Printed Name: Michelle Stokes

Address: 7675 Prince James Dr

Signature, Date/Additional comments:

 10/2/19

Printed Name: THOMAS STOKES

Address: HURRICANE

Signature, Date/Additional comments: 

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Arnold Johnson

Address: 39660 Johnson Place

Signature, Date/Additional comments: 10/2/19

Printed Name: DAVID MATCHETT

Address: 11670 WHITEHOUSE FORK RD

Signature, Date/Additional comments:

David Matchett 10.2.19

Printed Name: Jeanette Brown

Address: 10036 Green Jordan Rd

Signature, Date/Additional comments:

Jeanette Brown 10-2-19

Printed Name: Amber Allen

Address: 37290 Wright Dr. Bay Minette, AL 36507

Signature, Date/Additional comments:

Amber Allen

Printed Name: Anna Brannan

Address: 41081 State Highway 225 Bay Minette, AL 36507

Signature, Date/Additional comments:

AB 10/2/19

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN** zoned **RSF-E**, **NOT** be rezoned **RR** to allow the construction of a retail store.

Name: Emily Hankins
Address: 37291 Wright Dr. Bay Minette 36507
Date/Additional comments: NO MORE!

Name: Joseph Williams
Address: 8001 River Rd Bay Minette 36507
Date/Additional comments: No more of.

Name: Richard Fields
Address: 41261 St Hwy 225 Bay Minette, AL 36507
Date/Additional comments:

Name: Leslie Pruitt
Address: 36594 Newberry Rd Bay Minette AL 36507
Date/Additional comments:

Name: Zachary Madison
Address: 39470 Co Rd 39 Bayminette AL

Date/Additional comments:

10/3/19

NO DG!

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E, NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: T Walton

Address: 30111 Bourbon Lane

Signature, Date/Additional comments:

T Walton 10/3/19

Printed Name: Gary Clopton

Address: 36380 Hooks Loop

Signature, Date/Additional comments:

Gary Clopton 10/3/19

Printed Name: Ashley Hayward

Address: 47249 Joshua Dr BM

Signature, Date/Additional comments:

Ashley Hayward 10/3/19

Printed Name: SHERWOOD Boyington

Address: RIVER ROAD

Signature, Date/Additional comments:

Sherwood Boyington 10/3-19

Printed Name: JAMES Richardson

Address: 36711 State Hwy 225

Signature, Date/Additional comments:

James Richardson 10-3-19

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, NOT be rezoned RR to allow the construction of a retail store.

Printed Name: Bobby Brown

Address: 10007 Brown Rd Bayminette AL 36507

Signature, Date/Additional comments:

Bobby Brown 10-1-19

Printed Name: Alana maske

Address: 7660 Lake Rd. Bay Minette AL 36527

Signature, Date/Additional comments:

Alana maske 10-1-19

Printed Name: Joyce Taylor

Address: 5867 Bluefield Dr. Bay minette AL 36507

Signature, Date/Additional comments:

Joyce Taylor.

Printed Name: Charles Schaffer

Address: 10715 Charlie Johnson Rd. Bay minette

Signature, Date/Additional comments:

Charles Schaffer 10-1-19

* → Printed Name: Kenneth Scott

Address: 39753 State Hwy 325

Signature, Date/Additional comments:

Kenneth Scott

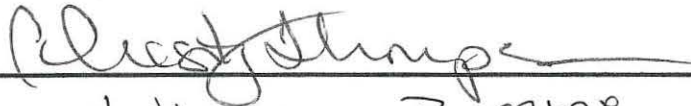
Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, NOT be rezoned RR to allow the construction of a retail store.

Printed Name: Chasity ~~Walters~~ Thompson

Address: 41896 L.J. Gaines Rd
Bay Minette, AL 36507

Signature, Date/Additional comments:



Printed Name: Katherine Bosarge

Address: 37891 Magnolia Church Rd
Bay Minette AL 36507

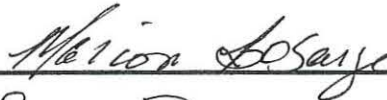
Signature, Date/Additional comments:



Printed Name: Marion Bosarge

Address: 37891 Magnolia Church
Bay Minette AL 36507

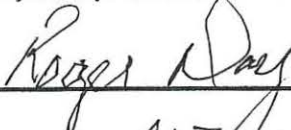
Signature, Date/Additional comments:



Printed Name: Roger Day

Address: 7400 River Rd.

Signature, Date/Additional comments:

 9-30-19

Printed Name:  Alton Wallace

Address: 40755 Co Rd 35
Bay Minette, AL 36507

Signature, Date/Additional comments:

 10-3-19


Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Ray Moore

Address: 9400 Whitehouse Fork Rd Ext Bay Minette

Signature, Date/Additional comments:

 10/3/19

Printed Name: Ray Stevens Sr

Address: 900 Carroll St.

Signature, Date/Additional comments:

 10/3/19

Printed Name: Samantha Stevens

Address: 900 Carroll Street

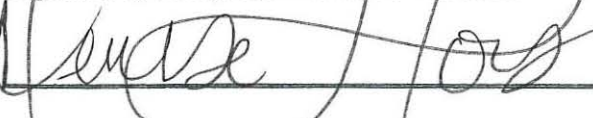
Signature, Date/Additional comments:

 10/3/19

Printed Name: Denise House

Address: 1125 US Hwy 31 N 10434

Signature, Date/Additional comments:

 10/3/19

Printed Name:

Address:

Signature, Date/Additional comments:

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Johnny Jackson

Address:

Signature, Date/Additional comments:



Printed Name: Brian Keith Byers

Address: 41375 DAVIS DUCK RD. Bay Minette, AL 36507

Signature, Date/Additional comments:



Printed Name: Raymond Brown

Address: 10007 BROWN RD
Bay Minette, AL 36507

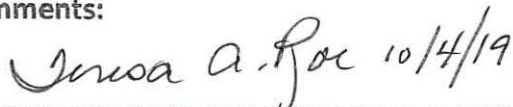
Signature, Date/Additional comments:

 10-4-19

Printed Name: Teresa Roe

Address: 38102 Skidder Way
Bay Minette, AL 36507


Signature, Date/Additional comments:

 10/4/19

Printed Name: Jake Jones

Address: 8635A Hurricane Rd, 36507

Signature, Date/Additional comments:

 10-4-19

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN** zoned RSF-E, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Ricky Josey

Address: 51365 Hwy 59 N

Signature, Date/Additional comments: Ricky Josey 10-4-19

Printed Name: Ruth A. Thomas

Address: Magnolia Church Rd.

Signature, Date/Additional comments:

Printed Name: Cody Maske

Address: 7660 Lake Rd

Signature, Date/Additional comments: Cody Maske 10-4-19

Printed Name: Samuel Staten

Address: 10600 Divers Dr. Bay Minette, AL

Signature, Date/Additional comments:

Printed Name: Zane Eubanks

Address: 7510 Blakeley Oaks Dr. S

Signature, Date/Additional comments: Z Eubanks, 10-4-19

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN** zoned RSF-E, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: *Termy Richardson*

Address: *31631 Jerry Richardson*

Signature, Date/Additional comments: *10-4-19*

Printed Name: *Jerrod Hotrock*

Address: *7980 bluefield Dr*

Signature, Date/Additional comments: *10-4-19*

Printed Name: *Richard Achimov*

Address: *7740 Bluefield dr.*

Signature, Date/Additional comments:

RS Achimov

Printed Name: *Lay Mink*

Address: *37555 Johnson Cemetery RD*

Signature, Date/Additional comments:

Lay Mink 10/4/19

Printed Name: *Stephanie Moore*

Address: *8025 Hooks Rd Bay Minette AL 36507*

Signature, Date/Additional comments:

S.M. Moore 10/04/19

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, REMAIN zoned RSF-E, NOT be rezoned RR to allow the construction of a retail store.

Printed Name: PHIL WILLIAMS

Address: 7392 BROWLEY LANE

Signature, Date/Additional comments: 4 OCT 19



Printed Name: Anthony McDaniels

Address: 35735 Williams Rd

Signature, Date/Additional comments:

 10-4-19

Printed Name: Kimberly Newburn

Address: 38519-B Bravo Rd. S.

Signature, Date/Additional comments: Kimberly Newburn 10-4-19

We do not need another Dollar Store in this area. #

Printed Name: Bobbie Horton

Address: 39550 T.H. Crastang Rd.

Signature, Date/Additional comments: Bobbie Horton

we do not want a Dollar Store or any store in that area

Printed Name: Jan Simpson

Address: 11890A Whitehouse Fk Rd

Signature, Date/Additional comments: Jan Simpson

1 store in the area is enough

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Ben Taylor

Address: 36845 Hwy 225

Signature, Date/Additional comments:

Ben Taylor

Printed Name: Lavon Lassiter

Address: 38901 St Hwy 225

Signature, Date/Additional comments:

10/5/19

Printed Name: Elliott Wallace

Address: 14225 BAPTIST BALLPARK RD

Signature, Date/Additional comments:

Elliott Wallace 5-6-19

Printed Name: LEONARDE SMIDER

Address: 9619 WILF-Rd.

Signature, Date/Additional comments:

Leonard E Smider 10-6-19

Printed Name: Amy Hadley

Address: 7440 River Rd, Bay Minette

Signature, Date/Additional comments:

Amy Hadley 10/12/19

Petition to the Baldwin County Commission, Regarding Case Z-19038, Bankester Property:

We, the undersigned, respectfully request the 2.72 acres on the corner of River Road and Alabama Highway 225, in Planning District 4, **REMAIN zoned RSF-E**, **NOT** be rezoned RR to allow the construction of a retail store.

Printed Name: Howard Danley / Conbitt

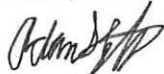
Address: 1201 Foxes + Park Av Bay Minette AL

Signature, Date/Additional comments: 

Printed Name: Adam Slayton

Address: 7462 northlake Dr. Spanish Fort AL

Signature, Date/Additional comments:



Printed Name: Steve Snider

Address: 9619 White Horse Fork Rd.

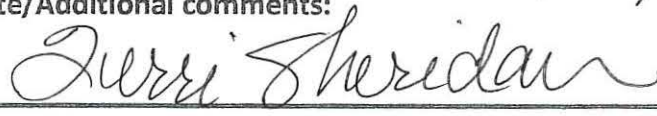
Signature, Date/Additional comments:



Printed Name: TERRI SHERIDAN

Address: 87821 MAGNOLIA CHURCH RD
BAY MIN

Signature, Date/Additional comments:

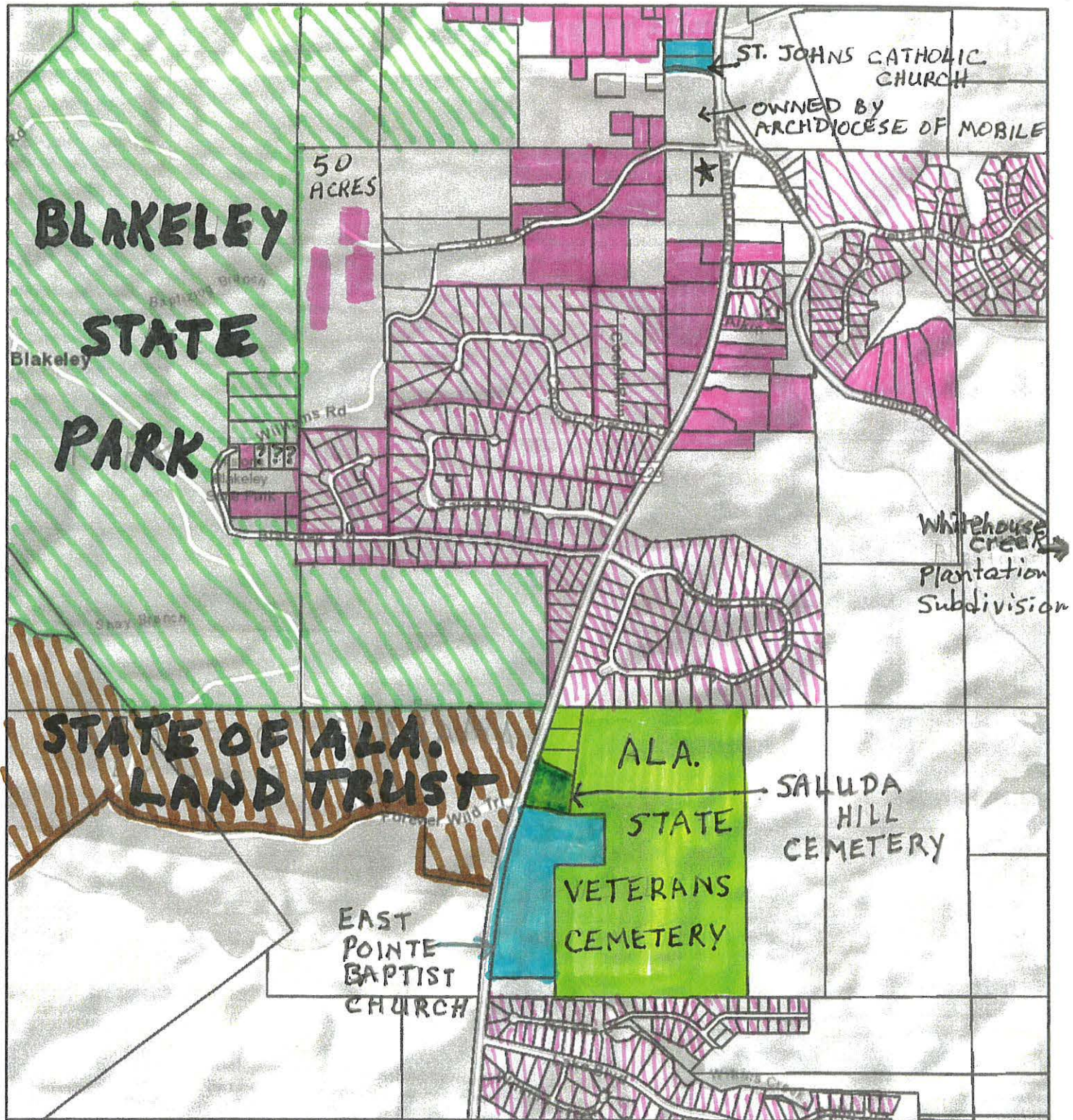
 10/06/19

Printed Name:

Address:

Signature, Date/Additional comments:

Viewer Map

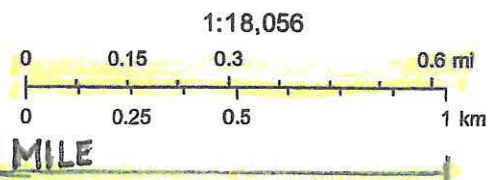


October 6, 2019

-  SUBDIVISIONS
-  RESIDENCES
-  UNDEVELOPED

NOTE: I am a novice at this kind of research, so map could contain errors. Thank

Stillwater Subdivision



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

There would be 3 Dollar General Stores within 11.8 miles of each other on a straight stretch of road



Map data ©2019 INEGI 2 mi



via AL-225 S

Fastest route, the usual traffic

13 min

11.8 miles

Explore Dollar General



Restaurants



Hotels



Gas stations



Parking Lots



More



Senior Member



Jun 2010
Saxapahaw, NC
Minelab GPX 4800, duct-tape-dfx
267
361 times
Metal Detecting
Banner Finds (2)

The Polygonal Cavity cannonball was the most common type used by the Confederate army during the Atlanta Campaign (summer 1864), and the Carolinas Campaign (1865). In Virginia, Robert E. Lee's army used some (but not "many") in 1864-65.

Awesome information!! Yep, this was found near the Battle of Bentonville, NC March 1865. Thanks so much!! You got that user name for a reason haha

Reply With Quote

Oct 23, 2011, 01:30 PM

#5

TheCannonballGuy

Re: CW cannonball fragment!



Gold Member

Educator

Feb 2006
Occupied CSA (Richmond VA)
White's 6000, Nautilus DMC-1, Minelab
5,654
8500 times
Relic Hunting

Gtoast99 wrote:

> Awesome information!

Because you seem to very much like learning the "detailed" information about your find, here's some more details.

All through Artillery history prior to the American Civil War, every explosive cannonball had a round cavity inside it for the bursting-charge gunpowder. The problem with that design is that they would often burst into as few as three or four very large fragments, instead of the dozen or more which was desired, for injuring the maximum number of enemy troops. So, in late-1862, a very smart Confederate artillery shell designer named Capt. John W. Mallet invented the world's first "internally segmented" explosive cannonballs. They are more-or-less like a World War 2 "pineapple" hand-grenade, except the segmentation is on the inside instead of the outside. The Polygonal Cavity cannonball's internal shape caused it to very reliably burst into 12 equal-sized fragments -- which eliminated the problem of bursting into too-few fragments. Also, it had the virtue of being much simpler for the Confederates to manufacture than the other existing versions of Antipersonnel shells.

Shortly after the war's end, US artillery General Henry L. Abbot praised the design of CS Capt. Mallet's polygonal-cavity cannonball, and recommended adopting it into US artillery service. But that was never done.

There were four versions of Mallet's polygonal-cavity cannonballs.

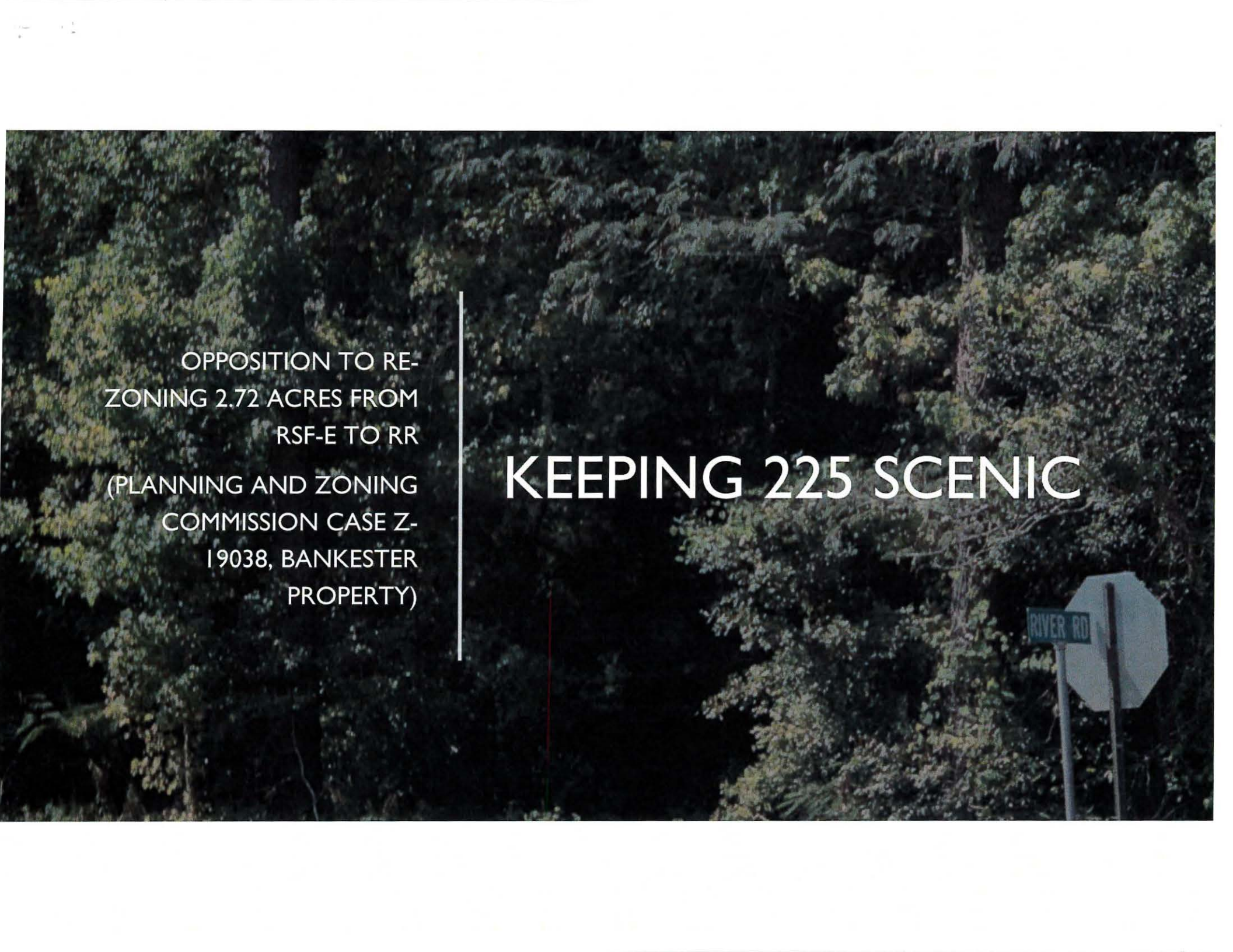
The earliest, manufactured in very-late 1862, would burst into fragments shaped like triangles and squares.

The next version, manufactured in very-early 1863, burst into pentagonal (5-sided) fragments. That's what you found. It is the "most common" type. It continued to be manufactured and used until the end of the war in 1865.

Sometime around very-early 1864, the third version was produced. It burst into diamond-shaped fragments. It too was used until the very end of the war.

A fourth type made its first appearance in mid-1864. Its fragments are trapezoid-shaped. The trapezoid type seems to have been used only by Lee's Army of Northern Virginia.

Because you already posted a photo of the Pentagonal-frag type, I'll post a photo showing the Trapezoid-frag cavity, and the Diamond-frag cavity ...along with a photo of the typical "round" cavity found in the great majority of explosive cannonballs.

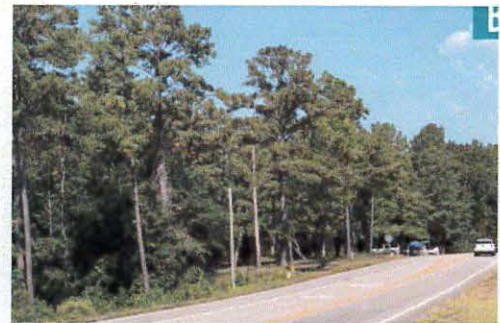


OPPOSITION TO RE-
ZONING 2.72 ACRES FROM
RSF-E TO RR
(PLANNING AND ZONING
COMMISSION CASE Z-
19038, BANKESTER
PROPERTY)

KEEPING 225 SCENIC

SAFETY FIRST

- Blind curves from 225 north and south
- Hills from 225 north and south
- Even with turning lanes, inadequate to address increased traffic flow if retail is established here
- Re-zoning for retail will create a congested blind-intersection, and endanger drivers



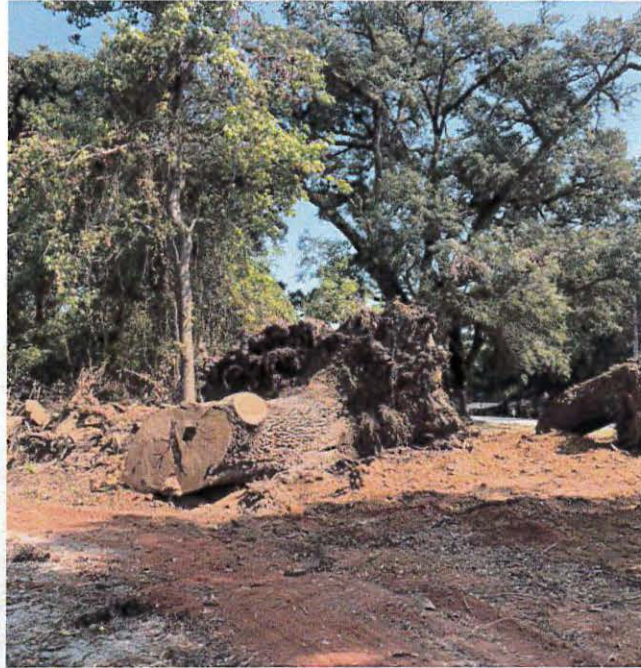


SCENIC AND RESIDENTIAL

- Only six other Scenic By-Ways in the State: Concerning our Scenic By-Way along 225, a retail establishment in this location would be a visual pollutant. The scenic, natural, and historic qualities of our Scenic By-way would be diminished.
- The 2013 Zoning Plan – our responsibility as stewards is to preserve the quality of life here
- Offensive change to the character of the neighborhood. Every other Dollar General from Bay Minette to Loxley (13 stores) is in a business corridor.

PLENTY OF RETAIL CONVENIENCE READILY AVAILABLE TO RESIDENTS AND VISITORS

- There are two Dollar General stores in a 15 mile stretch along 225, each located in previously established retail areas
- **The Outdoorsman** gas station and country store is an appreciated community gathering place – additional competition from yet another Dollar General is unconscionable when considering local business survival
- The majority of signatures on petitions to stop retail rezoning were collected at **The Outdoorsman** by Joey and Lil Bit Kobitz



THE REALITY OF RETAIL

- Creeping commercial establishments will destroy natural beauty, and create dissonance along our solemnly historical, quietly residential, Scenic By-Way. (Photos: Dollar General at Hurricane 4-way stop; felled oak at new storage facility at mile 7; new storage facility)

RESPECT FOR HERITAGE

- State Veterans Cemetery – 2,033 veterans currently at rest here
- Saluda Hill Cemetery – Established in 1824 (photo)
- Blakeley State Park – Site of one of the final battles of the Civil War, of national importance
- Churches – St. John's Catholic, East Point Baptist, Bromley Baptist and Durant Chapel Baptist
- This historically-rich, archeologically-significant area deserves to retain low-impact development
- Quiet, low-impact residential subdivisions



THANK YOU
FOR YOUR
CONSIDERATION

PLEASE RETAIN RSF-E
ZONING DESIGNATION



DATE: October 8, 2019

TO: The Honorable Charles F. Gruber, Chairman
The Honorable James E. Ball
The Honorable Joe Davis
The Honorable Billie Jo Underwood

SUBJECT: Re-zoning of the Bankester Family Property (Case No. Z-19038) from RSF-E (Residential Single-Family Estate) to RR (Rural District) for the purpose of constructing a retail store (most likely a Dollar General) The Planning and Zoning Commission voted to deny the re-zoning request by a 6-2 vote.

At the Planning and Zoning Commission meeting held September 5, Attorney David Conner summarized the situation like this: **"...really the question should be whether or not this particular site is appropriate for that zoning classification."** I maintain it is not for the following reasons:

1. The change is not compatible with the existing development pattern for the area.

RESIDENCES: Seven subdivisions are located within a one mile radius; the new Tensaw Estates subdivision less than one-half mile up the road makes eight. Within that area are numerous homes not in subdivisions.

CEMETERIES: Located approximately one mile south are the new Alabama Veterans cemetery, now containing the remains of thousands of veterans, and the historic Saluda Hill cemetery.

CHURCHES: St. John's Catholic Church is located about .2 miles to the north (the property between the subject lot and the church is owned by the Catholic Archdiocese of Mobile); East Point Baptist Church is located approximately 1.3 miles to the south; the Bromley Baptist and Durant Chapel Baptist Churches are located a little farther to the north.

BLAKELEY STATE PARK: The park lies to the northwest, west, and south. The closest park land lies only about one-half mile from the subject property.

2. Having a retail establishment serving large numbers of customers would detract from the appeal of the proposed Alabama Scenic Byway, named the Tensaw Parkway.

When the Alabama State Legislature passed the "Alabama and Beautiful" Act in 2000, it did so in order to recognize locales that are notable for their "scenic, natural, historic, recreational, cultural, and archeological value and are therefore worthy of designations as scenic byways...." It has been determined that the Hwy 225 corridor is such a locale, and thanks to the hard work of county officials, it has met the requisite eligibility criteria. This is really a big deal! When the remaining requirements have been met, it will join the six other Alabama Scenic Byways: Appalachian Highlands Scenic Byway, Barbour County Governors Trail, Black Belt Nature and Heritage Trail, Black Warrior River Scenic Byway, Leeds Stagecoach Route, and Lookout Mountain Parkway.

The Alabama Scenic Byways Website states: "The Byway will be appropriately managed, and its special resources protected, by the local communities it traverses." I certainly hope we can adhere to these guidelines and act as proper stewards of these treasures.

The proposed Tensaw Parkway offers an "immense diversity of attractions that both lovers of nature and history can so earnestly embrace." Those of us who live in this area are fortunate to have many of these attractions in our immediate neighborhood.

Motorists are also fortunate to have long uninterrupted stretches of native tree and shrub growth along the highway all the way from Spanish Fort Elementary School to the five mile marker. They will see no buildings-- not even houses--only attractive subdivision entrances.

Perhaps the most distinguishing characteristic of the entire twelve mile stretch from Spanish Fort to Crossroads is the absence of commercial establishments. With the exception of the new storage facility, the decades old Outdoorsman, and maybe a couple of small family-owned businesses, the only commercial establishments are located at the southern end of 225 and clustered around the Crossroads area to the north. I fear that approval of this re-zoning request would set a precedent. Since the lot that adjoins the subject property to the south and another lot across the highway are owned by a member of the Bankester family and they are both for sale, this intersection could possibly become a veritable hub of commercial activity.

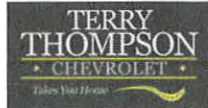
THE BOTTOM LINE IS THIS: THIS PARTICULAR SITE IS NOT APPROPRIATE FOR A DOLLAR GENERAL STORE. It is unneeded and unwanted. If living within

"hollerin'" distance of a jug of milk or a loaf of bread had been important, we would not have chosen to live out here in the country. We are so fortunate to be surrounded by significant historic, religious, and awe-inspiring sights, as well as many neighbors; this intrusion would ruin the distinguishing characteristics of our neighborhood and diminish the appeal of the proposed Tensaw Parkway. Dollar General stores most certainly satisfy a consumer need, but they should not be built in residential areas.

PLEASE let the current zoning designation of RSF-E remain in place.

Respectfully submitted,

Thelia Kelly
7235 Colonel Grierson Drive
Spanish Fort, AL 36527
(Bromley Woods Subdivision)
251-580-8306



(http://gulfcoast.ads.communityq.com/www/delivery/ck.php?oaparams=2_bannerid=370_zoneid=8_cb=632d118d4d_oadest=http%3A%2F%2Fwww.terry-thompson.com%2F)



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The Courier

(/baldwin-times/)

(/the-courier/)

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The Islander

(/the-onlooker/)

(/the-islander/)



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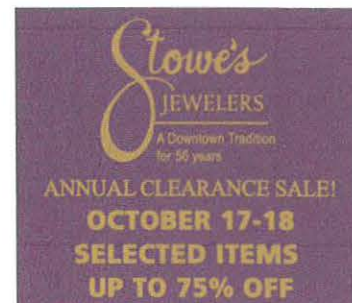


ADVANCED SEARCH (/SEARCH.HTML)

Ono Island lost two homes to devastating fire Saturday



(/uploads/original/20191006-125946-ONO Island fire.jpg)



(http://gulfcoast.ads.communityq.com/www/delivery/ck.php?oaparams=2_bannerid=378_zoneid=9_cb=0131870369_oadest=3A%2F%2Fwww.stowesjewelers.net)

E-EDITION



GulfCoastNewsToday.com

(http://marketplace.gulfcoast.staging.communityq.com)

MARKETPLACE

ATTACHMENT NO.

2

Two homes lost to fire on Ono Island. No one was home at either residence.

GULF SHORES FIRE DEPARTMENT



Posted Sunday, October 6, 2019 12:00 am

By Melanie LeCroy

Orange Beach Fire Department responded to a call Saturday, Oct. 5, on Ono Island around 4 p.m. Arriving crews found one home fully engulfed and a second home majorly involved along with vehicles and a boat. No one was home at either residence. This fire comes just four months after fire destroyed another house on the island.

Orange Beach Fire Department responded with all units along with one unit from Gulf Shores Fire Department, two Escambia County Fire crews and one Battalion Chief. Gulf Shores Fire Department and Medstar covered Orange Beach calls during this time.

"The fire was deemed under control in about 90 minutes. One Orange Beach firefighter was transported to South Baldwin Regional Medical Center where he was treated and released," said Orange Beach Fire Chief, Matt Kimmerling.

The cause of the fire is under investigation.

WATCH NOW

1. [Click "Watch Now"](#)
2. Run and Install
3. Open New Tab



Wa
Tele

27

OTHER ITEMS THAT MAY INTEREST YOU

Foley High School 2019 Homecoming parade
(/stories/foley-high-school-2019-homecoming-parade,83966)

Nerves of steel or faint of heart: OWA's got something for everyone this Halloween season
(/stories/nerves-of-steel-or-faint-of-heart-owas-got-something-for-everyone-this-halloween-season,83916)

Fairhope man charged with rape
(/stories/fairhope-man-charged-with-rape,83915)

Area Agency on Aging hosts annual Senior Lifestyle Expo Oct. 9
(/stories/area-agency-on-aging-hosts-annual-senior-lifestyle-expo-oct-9,83807)

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(http://servedbyadbutler.com/redirect.spark?MID=171437&plid=1023828&setID=306599&channelID=3470&CID)

Handout from
Mrs. Elizabeth Day
10/8/2019 BCC wk. ssn.

Robert Clark Day

October 7, 2019

Dear Members of the Baldwin County Highway Department,
19013

My husband and I bought our property on 3rd Street in Montrose in 1987. We chose this lovely property because of its quiet, peaceful beauty. The narrow tree-lined lanes were a perfect fit for us. My husband is handicapped physically and has always been able to use 3rd Street, which is "level", for his daily outdoor exercise. We are afraid that clearing the right away would eventually lead to opening 3rd Street to Highway 98. This would be devastating to us. This would totally disrupt everything we love and enjoy about Historic Montrose. Please consider the relaxed lifestyle we came here for. Help us protect this quaint Historic area from through traffic. Please deny the Thomasson's application # 19013.

Thank you,

Elizabeth and Robert Day