

Baldwin County Commission

Baldwin County Commission Regular
Meeting Minutes
Tuesday, March 3, 2020
8:30 AM



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

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

Wayne A. Dyess, County Administrator

All supporting documentation for the minutes can be viewed in the File ID link of each item and are denoted by an asterisk.

A WELCOME, INVOCATION AND PLEDGE OF ALLEGIANCE

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

Absent: 0

Also present were, Wayne Dyess, County Administrator, and Brad Hicks, County Attorney.

The Chairman called the meeting to order at 8:37 a.m. and introduced Reverend Joe Aldrette, Chaplain, Baldwin County Sheriff's Office, who appeared before the Commission and led the Commission in prayer. After the Pledge of Allegiance led by Commissioner James E. Ball, the Commission transacted the following business to-wit:

Chairman Underwood said the County recently lost someone who was a big part of the Baldwin County Commission and asked Commissioner Gruber to speak on it.

Commissioner Gruber commented on former County Commissioner Dean Hansen who recently passed away and said he sends his condolences and prayers to Commissioner Hansen's family.

ADOPTION OF MINUTES

February 18, 2020, Regular Meeting

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt the minutes of the February 18, 2020, Regular meeting.

The motion passed by the following vote:

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

Nay: 0

Absent: 0

Abstain: 0

B CONSENT

Wayne Dyess, County Administrator, noted for the record, the County Attorney has reviewed and approved Item BM1 - Association of County Commissions of Alabama Liability Self-Insurance Fund, Inc. Member Longevity Bonus.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to approve the consent agenda.

The motion passed by the following vote:

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

Nay: 0

Absent: 0

Abstain: 0

BA ADMINISTRATION

BA1 City of Fairhope - Annexation Notification

[20-0845](#)

Authorize the placement of the City of Fairhope's Annexation Ordinance No. 1664, Amending Ordinance No. 1253, annexing property into the corporate limits of the City of Fairhope, Alabama, into the minutes of the March 3, 2020, Baldwin County Commission Regular Meeting with the proper notifications to the following departments/organizations:

Baldwin County Departments:

Baldwin County Commission

Building Inspection Department

Communication/Information Systems Department

Environmental Management/Solid Waste Department

Highway Department

Planning and Zoning Department

Elected Officials:

Baldwin County Revenue Commission

Baldwin County Sheriff's Office

Other Agencies:

Board of Registrar's Office

Emergency 911

South Alabama Regional Planning Commission

BA2 County Take Home Vehicle List - March 2020

[20-0865](#)

Approve the "County Take Home Vehicle List - March 2020" of the county employees and officers who drive County vehicles home as identified in the report.

The total number of Baldwin County Commission departmental staff driving public taxpayer owned County vehicles is 170.

BA3 Resolution #2020-066 and Project Agreement for Flight Works Alabama

[20-0825](#)

Pursuant to the authority provided by Amendment No. 750 and/or Amendment No. 772 to the Constitution of Alabama 1901, take the following actions:

1) Adopt Resolution #2020-066 of the Baldwin County Commission, which authorizes the granting of funds to a firm, corporation, or other business entity, for the purpose of promoting the economic and industrial development of Baldwin County and provides determinations by said county governing body that the individual action, as above referenced, which involves an expenditure (grant) of public things of value to a firm, corporation, or other business entity, public or private, for the purpose of promoting the economic and industrial development of Baldwin County will serve a valid and sufficient public purpose, notwithstanding any respective incidental benefit accruing to any private entity; and

2) Authorize the execution and delivery of a Project Agreement by and among Baldwin County, Alabama, a political subdivision of the State of Alabama; Airbus Americas, Inc., a Delaware corporation; and Alabama Aviation Education Center, Inc., a nonprofit corporation organized under the laws of the State of Alabama, for the "Flight Works Alabama" Project, and related career training and workforce development efforts in the County which will educate multiple generations of students through hands-on, aviation-themed experiences, activities, and educational programs and to encourage students to pursue a career in the aerospace industry.

BA4 Resolution #2020-067 - Space Allocation in County Facilities - Baldwin County Foley Satellite Courthouse

[20-0856](#)

Baldwin County Foley Satellite Courthouse - Foley

In the City of Foley, and pursuant to the authority granted the Baldwin County Commission at §11-3-11 (a) (1) of the Code of Alabama 1975 and Section 6 of Act No. 239 (1931), as amended, and without limitation, adopt Resolution #2020-067 of the Baldwin County Commission, which designates the rooms to be occupied in the Baldwin County Foley Satellite Courthouse and further, to authorize the space allocations and offices applicable to the Baldwin County Foley Satellite Courthouse.

(Resolution #2020-067 repeals Resolution #2014-012, adopted by the Baldwin County Commission on November 5, 2013.)

BC ARCHIVES AND HISTORY

BC1 Request from Stockton Heritage Association, Inc. - Stockton Sawmill Days

[20-0862](#)

To promote recreational and educational purposes benefiting the public, take the following actions:

- 1) Approve the request from the Stockton Heritage Association, Inc. for the use of one (1) large Baldwin Regional Area Transit System (BRATS) bus for the Stockton Sawmill Days in Stockton, Alabama, on Saturday, March 21, 2020, from 9:00 a.m. to 5:00 p.m., with the additional hour for travel, at a cost of \$630.00 (\$70/hour); and
- 2) Authorize the Baldwin County Solid Waste Department to support the Stockton Sawmill Days by providing fifteen (15) garbage carts and one (1) roll-off container and disposing of waste after the event, at a cost totaling \$25.00; and
- 3) Authorize an expenditure of public funds in the amount of \$1,040.00 to be paid to A & M Portables Inc. for the use of five (5) handicap portable toilets equipped with toilet paper, hand cleaner, and a sink outside for handwashing to be delivered to the event on Friday, March 20, 2020, and picked up on Monday, March 23, 2020.

BE BUDGET/PURCHASING

BE1 Competitive Bid #WG20-18 - Provision of Telecommunication Materials for the Baldwin County Commission

[20-0846](#)

Take the following actions:

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

BE2 Competitive Bid #WG20-19 - Provision of Police Vehicle Accessories for the Baldwin County Commission

[20-0847](#)

Take the following actions:

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

BE3 Competitive Bid #WG20-21 - Purchase of One (1) New 2020 Ford Expedition or Equivalent for the Baldwin County Judge of Probate

[20-0848](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the purchase of one (1) new 2020 Ford Expedition or equivalent for the Baldwin County Judge of Probate; and
- 2) Further, authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

BE4 Competitive Bid #WG20-20 - Provision of Concrete Sidewalk Repair on County Right-of-Ways for the Baldwin County Commission

[20-0849](#)

Take the following actions:

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

BE5 Project No. BCP 0214119 - Park Improvements at Morgantown Water Access - Boardwalk Extension for the Baldwin County Commission

[20-0851](#)

Award the bid for Project No. BCP 0214119 - Park Improvements at Morgantown Water Access - Boardwalk Extension to the lowest bidder, Blade Construction, LLC, in the Bid Amount of \$83,762.20; Construction Time: 35 working days; and authorize the Chairman to execute the Contract.

BE6 Sales & Use Tax - Enforcement of Trust Fund Taxes

[20-0875](#)

Take the following actions:

- 1) Authorize the County's Sales Use & License Tax Department to list delinquent trust fund tax liens of \$1,000.00 or greater and over one (1) year or older on the Baldwin County Commission Website; and
- 2) Authorize the County's Sales Use & License Tax Department based on Ala. Code §40-29-20 to file UCC liens of \$1,000.00 or greater with Secretary of State; and

3) Authorize the County's Sales Use & License Tax Department based on Ala. Code §40-2A-4(b) (6), to require a minimum 25% percent down for all Baldwin County trust fund tax installment agreements with maximum length of three (3) years for all installment agreements; and

4) Authorize the County's Sales Use & License Tax Department, at the discretion of the Coordinator, be authorized to seek injunctive relief pursuant to Ala. Code Sec 40-23-27 in the Circuit Court of Baldwin County against taxpayers who have fallen delinquent with one or more liens with a combination of more than \$1,000.00 owed in trust fund taxes; and

5) Authorize the County's Sales Use & License Tax Department to proceed based on Ala. Code §40- 2-11(16) with wage garnishments against the taxpayer's salaries, bonuses, commissions, and any other type of compensation from an employer. The wage garnishment remains in effect for subsequent pay periods until the total amount of the garnishment has been withheld and remitted by the employer; and

6) Authorize the County's Sales Use & License Tax Department to proceed with financial institutions garnishments based on Ala. Code §40-29-23. A garnishment may be issued to a bank, credit union and brokerage firm. The County is entitled to receive the full amount of money in account at the time the garnishments served, not exceed the full amount of the tax liability; and

7) Authorize the County's Sales Use & License Tax Department based on Ala. Code §40-29-23 to proceed with Writs of Execution. Writs of execution may be issued to the sheriff where the taxpayer has real or personal property. In the case of real property, the Department will ask the sheriff to offer the taxpayer's right, title, and interest in and to the property to the highest bidder. The property is sold on the courthouse steps subject to any prior encumbrances. The taxpayer will have one year to redeem the property from the Department or the highest bidder by paying the costs of the sale, the total tax liability, and the accrued interest. Whenever personal property is sold, there is no redemption period; and

8) Authorize the County's Sales Use & License Tax Department if civil enforcement proves ineffective, based upon the provisions of the Alabama Code (Ala. Code Section §40-29-1), the Department, at the discretion of the Coordinator, be authorized to refer offending taxpayers to the Baldwin County District Attorney for prosecution.

BJ ELECTED OFFICIALS

BJ1 Baldwin County Sheriff's Office - Use of Drug Enforcement Administration (DEA) Seized Assets

[20-0873](#)

Take the following actions:

1) Rescind the action taken by the Baldwin County Commission during the December 17, 2019, Regular Meeting, more specifically Agenda Item BJ3, approving the Chairman to execute correspondence to the Drug Enforcement Administration (DEA) stating that Baldwin County Sheriff's Office no longer wishes to utilize certain assets due to the high amount of expenses; and

2) Approve the Chairman to execute the revised correspondence to the Drug Enforcement Administration (DEA) stating that the Baldwin County Sheriff's Office no longer wishes to utilize certain assets due to the high amount of expenses but are requesting proceeds from the sale of certain assets instead.

BL ENVIRONMENTAL MANAGEMENT

BL1 Alabama Department of Environmental Management (ADEM) Alabama Recycling Fund Grant Application 2020 [20-0871](#)

Confirm, ratify and approve the Alabama Department of Environmental Management (ADEM) Form 9 (Alabama Recycling Fund Grant Application) executed by the Chairman on February 27, 2020, and make said document part of the record.

BM FINANCE AND ACCOUNTING

BM1 Association of County Commissions of Alabama Liability Self-Insurance Fund, Inc. Member Longevity Bonus [20-0867](#)

Related to the Association of County Commissions of Alabama (ACCA) Liability Self Insurance Fund, Inc. Member Longevity Bonus, take the following actions:

1) Adopt and authorize the Chairman to execute Resolution #2020-064, in agreement with Baldwin County's continued participation in the Liability Fund for an additional three (3) year period beginning on January 1, 2021, and concluding on December 31, 2023; and

2) Authorize the Chairman to execute the Participation Agreement between the Baldwin County Commission and ACCA. The term of this agreement shall be for the period beginning on the date executed or at 12:01 a.m. on January 1, 2021 (whichever date is later), and ending at 12:01 a.m. on January 1, 2024.

BM2 County Levies for Alcohol Licenses [20-0870](#)

Adopt the following Alcohol Beverage Control (ABC) county license fees for upcoming Fiscal Year 2020-2021 and authorize the Chairman to execute the attached ABC form stating the adopted county license fees.

- 010 Lounge Retail Liquor - Class I: \$440.00
- 011 Lounge Retail Liquor - Class II: \$440.00

020 Restaurant Retail Liquor: \$440.00
031 Club Liquor - Class I: \$440.00
032 Club Liquor - Class II: \$1,111.00
040 Retail Beer (On or Off Premises): \$75.00
050 Retail Beer (Off Premises Only): \$75.00
060 Retail Table Wine (On or Off Premises): \$75.00
070 Retail Table Wine (Off Premises Only): \$75.00
080 Liquor Wholesale: \$731.50
090 Wholesale Beer Only: \$275.00
100 Wholesale Table Wine Only: \$275.00
110 Wholesale Table Wine & Beer: \$375.00
120 Warehouse License: \$291.50
130 Additional Warehouse: \$100.00
140 Special Events Retail: \$233.00
150 Special Retail - 30 Days or Less: \$147.00
160 Special Retail - More Than 30 Days: \$380.00
170 Retail Common Carrier: \$233.00
180 Manufacturer Denatured Alcohol: N/A
190 Manufacturer Alcohol Production Units: N/A
200 Manufacturer: \$121.00
210 Importer: \$250.00
220 Brewpub: \$500.00
230 International Motor Speed Way: \$440.00

BN HIGHWAY

BN1 Case No. S-18032 - Hawthorn, Unit 6 - Road Acceptance

[20-0860](#)

Take the following actions regarding Subdivision Case No. S-18032 - Hawthorn, Unit 6 in Maintenance Area 300:

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

Road Name: Lockridge Road
Length: 1,089.33 ft
Asphalt Width: 18 ft

Road Name: Shannon's Mill Road
Length: 560.05 ft
Asphalt Width: 18 ft

Road Name: Rushbrook Court
Length: 431.22 ft
Asphalt Width: 18 ft

2) Approve and authorize the Chairman to execute the Subdivision Roadway and Drainage Improvement Acceptance Agreement and accept the Surety Document from the Ohio Casualty Insurance Company on behalf of Hawthorn 12, LLC in the amount of \$110,400.00 to guarantee the workmanship and materials of the roadways and drainage improvements within the public rights-of-way as shown on the approved Final and "As-Built" construction plans.

BN2 Case No. S-18033 - Sonoma Ridge, Phase Two - Road Acceptance

[20-0850](#)

Take the following actions regarding Subdivision Case No. S-18033 - Sonoma Ridge, Phase Two in Maintenance Area 200:

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

Road Name: Chenin Blanc Drive
Length: 3,181 ft
Asphalt Width: 22 ft

Road Name: Chardonnay Drive
Length: 794 ft
Asphalt Width: 22 ft

Road Name: Sonoma Blvd
Length: 410 ft
Asphalt Width: 22 ft

Road Name: Cabernet Lane
Length: 338 ft
Asphalt Width: 22 ft

2) Approve and authorize the Chairman to execute the Subdivision Roadway and Drainage Improvement Acceptance Agreement and accept the Surety Document from Granite Re, Inc. on behalf of Bill Patterson Construction, Inc. in the amount of \$292,362.43 to guarantee the workmanship and materials of the roadways and drainage improvements within the public rights-of-way as shown on the approved Final and "As-Built" construction plans.

BN3 Highway Department (Administration) - Reclassifying the Chief Accountant Position

[20-0844](#)

Take the following actions:

1) Reclassify the Chief Accountant position (PID #364) from a salary grade EC-08 (EC-08 range: \$53,372.00 - \$84,542.00 annually) to a salary grade EC-09 (EC-09

range: \$64,045.00 - \$101,449.00 annually); and

2) Approve the updated position description for the Chief Accountant.

BN4 Americans with Disabilities Act (ADA) - Sidewalk Curb Ramp Compliance Phase 3 Project - Permission to Advertise [20-0853](#)

Take the following actions:

1) Approve the Purchasing Manager to place a competitive bid for the Americans with Disabilities Act (ADA) Sidewalk Curb Ramp Compliance Phase 3 Project; and

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

BN5 County Road 28 and State Route 59 Traffic Signal Installation - Permission to Advertise [20-0857](#)

Take the following actions:

1) Approve the Purchasing Manager to place a competitive bid for the County Road 28 and State Route 59 Traffic Signal Installation Project; and

2) Approve the Chairman to sign any project related documents.

BN6 Fernwood Drive West Drainage Improvements - Permission to Advertise [20-0852](#)

Take the following actions:

1) Approve the Purchasing Manager to place a competitive bid for the Fernwood Drive West Drainage Improvements; and

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

BN7 Hoyle Bryars Road East Bridge Replacement - Permission to Advertise [20-0855](#)

Take the following actions:

1) Approve the Purchasing Manager to place a competitive bid for the Hoyle Bryars Road East Bridge Replacement Project; and

2) Approve the Chairman to sign any project related documents.

BN8 Scenic Highway 98 Pedestrian Bridge Repairs - Permission to Advertise [20-0854](#)

Take the following actions:

- 1) Approve the Purchasing Manager to place a competitive bid for the Scenic Highway 98 Pedestrian Bridge Repairs; and
- 2) Approve the Chairman to execute any project related documents.

BQ PERSONNEL

BQ1 Animal Shelter Department - Position Change

[20-0826](#)

Take the following actions:

- 1) Abolish the part-time Animal Control Technician position (PID #PT53); and
- 2) Create a full-time Animal Control Technician position (PID #TBD); and
- 3) Approve the updated organizational chart for the Animal Shelter/Control.

BQ2 Board of Registrars - Position Change

[20-0827](#)

Abolish the part-time Office Assistant III position (PID #PT33).

BQ3 Highway Department (Foley) - Promotions

[20-0828](#)

Take the following actions:

- 1) Approve the promotion of Hunter Skipper from the Operator Technician II position (PID #354) grade H-03 (\$15.343 per hour/\$31,913.44 annually) to fill the open Operator Technician III position (PID #318) at a grade I-02 (\$16.421 per hour/\$34,155.68 annually); and
- 2) Approve the promotion of Michael Bethea from the Operator Technician II position (PID #344) grade H-01 (\$14.60 per hour/\$30,368.00 annually) to fill the open Operator Technician III position (PID #329) at a grade I-EL (\$15.629 per hour/\$32,508.32 annually).

These actions will be effective no sooner than March 16, 2020.

BQ4 Highway Department (Administration) - Updated Position Description for Operations Support Specialist II (Accounting Option)

[20-0829](#)

Approve the updated position description for the Operations Support Specialist II (Accounting Option).

BQ5 Highway Department (Construction Engineering) - Personnel Changes

[20-0830](#)

Take the following actions:

- 1) Approve the employment of Eric Edwards to fill the open Engineering Technician I (Construction Option) position (PID #865) grade H-03 (\$15.343 per hour/\$31,913.44 annually), with said salary due to experience, to be effective no sooner than March 9, 2020; and
- 2) Approve the transfer of Halley Black from the Billing Account Specialist I position (PID #2082) grade G-EL (\$12.967 per hour/\$26,371.36 annually), in the Solid Waste Collections Administration Department (00511/54801), to fill the Office Manager position (PID #5012), with no change in pay, in the Highway Construction Engineering Department (00111/53120), to be effective no sooner than March 16, 2020.

BQ6 Juvenile Detention Center - Employment of One (1) Part-Time Detention Technician Position

[20-0831](#)

Approve the employment of Logan Salyers to fill the open part-time Detention Technician position (PID #PT40) at a grade G-EL (\$12.967 per hour) to be effective no sooner than March 9, 2020.

BQ7 Probate Office - Employment of One (1) Recording Officer Position

[20-0832](#)

Approve the employment of Michelle Jaye to fill the open Recording Officer position (PID #635) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) to be effective no sooner than March 9, 2020.

BQ8 Revenue Commission - Position Changes

[20-0833](#)

Take the following actions:

- 1) Retitle the Collections Support Technician II position (PID #5510) to Mapping Support Specialist I; and
- 2) Retitle the Mapping Support Technician I position (PID #5338) to Collections Support Technician I; and
- 3) Approve the promotion of Melissa Harper from the Real Property Appraiser Trainee position (PID #5309) grade I-02 (\$16.421 per hour/\$34,155.68 annually) to fill the open Real Property Appraiser I position (PID #5519) at a grade J-01 (\$17.602 per hour/\$36,612.16 annually); and
- 4) Abolish the Real Property Appraiser Trainee position (PID #5309); and

5) Approve the updated organizational chart for Revenue Commission.

BQ9 Solid Waste Department - Personnel Changes

[20-0834](#)

Take the following actions:

- 1) Approve the employment of Dustin Spencer to fill the Solid Waste Technician position (PID #5228) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) in the Solid Waste Maintenance Department (54370); and
- 2) Approve the employment of Calvin Hastings to fill the open Landfill Equipment Operator II (Transfer) position (PID #686) at a grade H-EL (\$14.246 per hour/\$29,631.68 annually) in the Solid Waste Transfer Station (54325).

These actions will be effective no sooner than March 9, 2020.

C PRESENTATIONS

CA GENERAL

CA1 North Baldwin Chamber Junior Ambassadors

[20-0835](#)

Ms. Ashley Jones Davis, Executive Director, North Baldwin Chamber of Commerce, appeared before the Commission and commented on the North Baldwin Chamber Junior Ambassadors' Program. Ms. Davis said this year's class is the largest class of students the Chamber has had and asked each student to introduce themselves. After students addressed the Commission, Ms. Davis thanked the Commissioners for taking the time to visit with the Junior Ambassadors. Her hope for the program is, wherever these students land, they become good citizens in their communities, learn to give back and serve, learn the importance of partnerships in business and industry and education and how it all works together.

Commissioner Ball thanked Ms. Davis and her staff for bringing the Junior Ambassadors today and said he met with them earlier this morning. He had fun doing this and he appreciates everything they are doing for the North Baldwin community and the time they give to the organization.

Commissioner Davis thanked the ambassadors for doing what they do and said it will benefit them greatly. Baldwin County is a large county. Each Commissioner run by district, but they are elected by the entire County, this requires the Commissioners to all work together. Commissioner Davis said the Commissioners only agenda is to make Baldwin County better and the Junior Ambassadors can be a key part of that now and in the future.

Commissioner Gruber thanked the Junior Ambassadors for coming and said they are in the program for a good reason. Commissioner Gruber said he thanks the

Junior Ambassadors for their service to the community because community service is very important. The Junior Ambassadors program is a great group to be a part of. Commissioner Gruber wished the seniors well in their future endeavors and said the juniors are next.

Chairman Underwood said she is sorry she was not here in time to meet with the Junior Ambassadors prior to the meeting. They are a great looking bunch and are the future leaders of the County. She invited the students back any time and encouraged them to watch the Commission meetings that are broadcast on social media. Chairman Underwood thanked Ms. Davis for bringing the Junior Ambassadors.

CA2 Baldwin County Sheriff's Office Presentation of 2019 Annual Report

[20-0661](#)

Sheriff Huey Hoss Mack appeared before the Commission, gave a handout of the 2019 Annual Report of the Baldwin County Sheriff's Office and provided a slideshow of the same.

Commissioner Ball said he is glad the North Baldwin Chamber of Commerce Junior Ambassadors are present today to see Sheriff Mack's presentation. It is a great piece of information because all of what Sheriff Mack just shared is not shown in the media. Commissioner Ball said Sheriff Mack does what he is supposed to do and that is to protect the public. He tells Sheriff Mack over and over again that he is very humble to be in the presence of Sheriff Mack and his staff. Commissioner Ball said he feels very safe to live in Baldwin County because of what Sheriff Mack does. The relationship the Commissioners have with the Sheriff's Office is humbling. He is looking forward to working with Sheriff Mack. He cannot thank Sheriff Mack enough for what he does. When law enforcement officers leave their home to start their shift, they go out with the hope of returning home. Commissioner Ball said the officers risk their lives for the protection of the community. It is amazing to be a part of what the officers do. Commissioner Ball thanked Sheriff Mack and his staff.

Commissioner Davis said he echoes Commissioner Ball's statement. He has a granddaughter who is in law enforcement. Law enforcement and first responders have been close to his heart for a long time and always will be. Commissioner Davis said people tend to see things on the news, but they need to appreciate the things that are done daily to make sure there are not instances that affect their lives. He commends Sheriff Mack and his staff. The Sheriff's Office employees are not only good in Baldwin County, they are also looked at as one of the better organizations in the State. Commissioner Davis said he feels it should be in the region. That is a part of the "Baldwin Pride." If a person is going to do something, they should do it right and take care of everyone that needs taking care of. Commissioner Davis said he appreciates Sheriff Mack.

Commissioner Gruber thanked Sheriff Mack and his staff for keeping Baldwin

County safe. The statistics for other counties the size of Baldwin County are shocking. The statistics for Baldwin County speak volumes as to how the Sheriff's Office does its job in the County. He thanks the Sheriff's Office employees for a job well done. Commissioner Gruber said Baldwin County has been the first in a lot of things and Sheriff Mack has been a team player. It shows the leadership Sheriff Mack provides for his employees.

Chairman Underwood thanked Sheriff Mack for all he does and said the annual reports are very informative to her. She is sure the viewing public appreciates the information Sheriff Mack provides. Chairman Underwood said she is glad the Junior Ambassadors are present today to hear Sheriff Mack's report. She encouraged the Junior Ambassadors to be critical thinkers and do their research. Chairman Underwood thanked Sheriff Mack for his report and said he brought out such wonderful things that has happened in the Sheriff's Office. She feels safe in Baldwin County.

CA3 Proclamation - Small Business Development Center Day on March 18, 2020

[20-0838](#)

Ms. Yolanda Johnson appeared before the Commission to accept the proclamation as presented by Chairman Underwood on behalf of the Commission.

Chairman Underwood commented on how she met Ms. Johnson and said Ms. Johnson will tell more about the Alabama Small Business Development Center (ASBDC).

Ms. Johnson provided a slideshow presentation on ASBDC Baldwin County 2020. Ms. Johnson thanked the Commissioners for the proclamation and encouraged anyone who is starting a business to visit the website and register.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt a Proclamation which sets aside March 18, 2020 as "Small Business Development Center Day" in Baldwin County, Alabama.

The motion passed by the following vote:

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

Chairman Underwood said this is awesome because there are so many people who do not realize they have a business. There is so much compliance a business must adhere to. Ms. Johnson's services are for people who have a business or want to start a business. Chairman Underwood thanked Ms. Johnson.

D PUBLIC HEARINGS

E COMMITTEE REPORTS

EA FINANCE/ADMINISTRATION DIVISION

EA1 Payment of Bills

[20-0823](#)

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, to pay bills totaling \$8,401,883.61 (eight million, four hundred one thousand, eight hundred eighty-three dollars and sixty-one cents).

Of this amount, \$6,319,349.10 (six million, three hundred nineteen thousand, three hundred forty-nine dollars and ten cents) is payable to the Baldwin County Board of Education and \$375,409.67 (three hundred seventy-five thousand, four hundred nine dollars and sixty-seven cents) is payable to the Gulf Shores Board of Education for their portion of the County Sales and Use Tax.

The motion passed by the following vote:

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

Nay: 0

Absent: 0

Abstain: 0

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

[20-0822](#)

Wayne Dyess, County Administrator, informed the Commission that the Baldwin County Commission Interim Payments - March 3, 2020, made by the Clerk/Treasurer totaling \$3,764,644.13 (three million, seven hundred sixty-four thousand, six hundred forty-four dollars and thirteen cents) are a part of the record.

EB ROAD AND BRIDGE DIVISION

F ELECTED OFFICIAL REQUESTS

G OTHER STAFF RECOMMENDATIONS

GA ADMINISTRATION

GA1 Request from Baldwin County Sheriff's Office - Resolution #2020-068 Opposing House Bill 39 and Senate Bill 47 - Issuance of Concealed Carry Permits within the State of Alabama

[20-0861](#)

Wayne Dyess, County Administrator, read Resolution #2020-068 for the record.

Sheriff Huey Hoss Mack appeared before the Commission and said the resolution

speaks for itself. It specifically addresses only two pieces of Legislation: House Bill 39 and Senate Bill 47; they are companion Bills. Sheriff Mack said the reason he is seeking the approval of this Resolution is because both Bills are in Committee in Montgomery tomorrow. They will be brought up in public hearings of which he will be in attendance. He has been asked to offer testimony in both hearings. Sheriff Mack said these Bills are about public safety, local government, and the safety and convenience of citizens. This past year, the Sheriff's Office issued over 15,000 permits. Residents of Baldwin County have the ability to come to four locations to get a permit: Foley, Fairhope, Robertsdale and Bay Minette. The average turnaround time is 10 minutes or less. Sheriff Mack said under the proposed Bills, all of this would be transferred to Montgomery with the exception of the application process. It would take up to 30 days to get the permit in the mail. If this is transferred to Montgomery, the cost of the permit would increase from \$20.00 to \$25.00 per year and cost the State of Alabama an additional \$2.3 million to set up and manage this system. The County has built its system and it is in place. There are currently over 756,000 concealed carry permits in Alabama and 350,000 of those are renewed every year. Sheriff Mack said under this law, it would place an additional burden on the Alabama Law Enforcement Agency (ALEA) of conducting 500 to 1,000 background checks a day. This past year, he did not receive any complaints on the issuance of the concealed carry permits. The Sheriff's Office denied 221 permits which consisted of convicted felons, convicted sex offenders, people in violation of drugs and protection from abuse orders, people who had criminal records from other states and individuals who were not citizens of the United States or residents of the State of Alabama. Sheriff Mack said there were zero appeals on the denials. Alabama is an "open carry" state and it is a strong 2nd Amendment state. All of this has to do with the business process of the concealed carry permits. If this legislation was to pass, it would move the permit process to Montgomery. As he stated in the work session, all a person has to do is walk down to the Driver License Office to see the back log that is in there. Sheriff Mack said this is best managed at the local level of government, by the Sheriff.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to adopt Resolution #2020-068 opposing House Bill 39 and Senate Bill 47 related to the issuance of concealed carry permits within the State of Alabama.

The motion passed by the following vote:

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

H COMMISSIONER REQUESTS

I ADDENDA

IA GENERAL

IA1 Selection of a Bond Underwriter for Refunding of Series 2014 General
Obligation Warrants for the Baldwin County Commission

[20-0882](#)

Ron Cink, Budget Director, appeared before the Commission and said before the Commissioners is a recommendation to choose a Bond Underwriter that will allow the Commission to apply funds to programs that are associated with the County. Staff will pursue every opportunity to save money and utilize the taxpayers' resources.

Chairman Underwood said a motion is needed to select one of the Bond Underwriters who have already responded to the Request for Proposal (RFP).

Commissioner Davis made a motion to choose Raymond James as the Bond Underwriter and said he commends Mr. Cink and his staff and others who make the Commissioners fiscally responsible.

Commissioner Ball said he will second the motion. However, he wants to clear it with the County Attorney that the Commissioners are taking the recommendation as printed and is choosing Raymond James. This way there does not have to be a lot of separate motions.

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, as recommended by Stifel, Nicolaus & Company, Inc., the Baldwin County Commission's Financial Advisor, take the following actions:

- 1) Adopt Resolution #2020-071, which selects and confirms the appointment of one of Raymond James as the Bond Underwriter for the Refunding of the Series 2014 General Obligation Warrants for the Baldwin County Commission, and authorize staff to begin rate negotiations with the selected firm; and
- 2) This advanced refunding action is contingent upon recognizing a minimum of \$450,000.00 net present value (NPV) for Baldwin County Commission.

The motion passed by the following vote:

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

J ADMINISTRATIVE REPORT

K COUNTY ATTORNEY'S REPORT

Brad Hicks, County Attorney, said there are two items for discussion during an

executive session. At the end of the meeting, he will lead the Commissioners into an executive session.

L ANNOUNCEMENTS

M PUBLIC COMMENTS

N PRESS QUESTIONS

O COMMISSIONER COMMENTS

Commissioner Ball thanked the North Baldwin Junior Ambassadors for coming today and taking the time to visit and learn more about what the Commissioners do. He hopes they have a good experience in visiting the Sheriff's Office and Jail.

Commissioner Davis congratulated the Junior Ambassadors and thanked them for attending the meeting. He said he hopes the Junior Ambassadors picked up on a few things. Commissioner Davis said the Junior Ambassadors may have picked up some ideas on how things can be done later on because that will be a part of their role. He encouraged everyone who is old enough to vote and those who are not old enough to encourage everyone else to vote. Commissioner Davis said those who are viewing the meeting live, need to vote. Those who will watch the recording later need to be a part of the Census process. It is vitally important for everyone to be counted in order to eligible for all types of Federal, State and private resources because as Baldwin County gets bigger, it will need money to get better.

Commissioner Gruber thanked Junior Ambassadors for attending today's meeting and they could be sitting on the dais as a Commissioner one day. Commissioner Gruber thanked staff for all they do. He thanked Ms. Yolanda Johnson for her presentation on the Small Business Development Center Day and said it is great for upcoming businesses to know how to get help.

Chairman Underwood thanked everyone and said looking out at the Junior Ambassadors, she is sure one of them will soon open a business if they have not already. They had the opportunity to see there is help without paying a lot of money for a consultant. Chairman Underwood said she did not know these things existed years ago. She commented on her tour of the Jail and said it was then when she realized she did not want to be one of the statistics Sheriff Huey Hoss Mack spoke of.

Commissioner Davis said he wants everyone to recognize that the Commissioners do not have the answers, they have great people who work on different projects. There will be a Strategic Planning Session and Comprehensive Plan Retreat where everyone will sit and talk about all possibilities and find out what options are available. Commissioner Davis said the Commissioners do not have all the answers, they are blessed with talented people around them and together they will do the sort of things that will make the citizens proud.

P ADJOURNMENT

Brad Hicks, County Attorney, said there are two matters for discussion during an

executive session. Ms. Hope Hicks, Conflicts Counsel, is present. The items are not conflicts, but they are matters Ms. Hicks has been handling. Ms. Hicks estimates the time needed for this discussion will be 30 minutes to one hour. Mr. Hicks said he will get the Commissioners into the executive session and Ms. Hicks will make the required oral declaration.

Mr. Hicks recommended the Commission adjourn into an executive session to discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action. After the motion and second, Ms. Hicks will make her comments and the Commissioners will vote. He does not see a reason to reconvene the meeting and after the vote, Chairman Underwood can announce the meeting will not reconvene.

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, to adjourn into an executive session at 9:55 a.m. to discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action.

The motion passed by the following vote:

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

After the motion and before the vote, Ms. Hope Hicks, Conflicts Counsel, appeared before the Commission and said as an attorney licensed to practice law in the State of Alabama, she makes the oral declaration that the discussions planned for the executive session do meet the exemptions as stated by Counsel.

After the vote, Chairman Underwood said the March 3, 2020, Baldwin County Commission meeting will adjourn into an executive session at 9:55 a.m.

