

Baldwin County Commission

Baldwin County Commission Regular
Meeting Minutes
Tuesday, August 4, 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.

WELCOME BY CHAIRMAN, 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 8:30 a.m. and introduced Reverend Eddy Sullivan, Pastor of BibleWay Assembly of Foley, Alabama, who appeared before the Commission and led the Commission in prayer. After the Pledge of Allegiance led by Commissioner Charles F. Gruber, the Commission transacted the following business to-wit:

A ADOPTION OF MINUTES

July 21, 2020, Regular Meeting

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to approve the minutes of the July 21, 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

July 23, 2020, Special Meeting (Budget Deliberations)

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, to approve the minutes of the July 23, 2020, Special meeting (Budget Deliberations).

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 ACTION ITEMS

BA ADMINISTRATION

Chairman Underwood said there are four Agenda Items under Administration and asked if there are any questions. Hearing none, Chairman Underwood called for a motion.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to approve Items BA1 - BA4.

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

BA1 DocuSign Agreement for Electronic Signatures

[20-1191](#)

Approve a Master Services Agreement between DocuSign and Baldwin County Commission and accept the DocuSign Terms and Conditions for the provision of e-signatures to be used by various Baldwin County Commission departments.

The term of the Agreement is for 12 months with an option to renew at the end of the initial 12-month period. The Agreement will commence on August 4, 2020.

BA2 Resolution #2020-102 of the Baldwin County Commission - Act No. 90-449 (Fire Tax) - Magnolia Springs Volunteer Fire Department - Approval of Use of Fire Tax Proceeds

[20-1278](#)

Take the following actions:

1) Adopt Resolution #2020-102 of the Baldwin County Commission which provides the Baldwin County Commission's required approval for the Magnolia Springs Volunteer Fire Department to utilize its proceeds of taxes derived by Act. No. 90-449 as security for repayment of a loan for up to \$150,000.00 (and the repayment of said loan's applicable interest) for the purchase of one (1) 2020 International 3000-gallon Tanker/Pumper in

the total amount not to exceed \$320,500.00, to provide a needed service to the ever-growing fire jurisdiction as well as the mutual aid areas to benefit the southwestern part of the county; and

2) Authorize the Baldwin County Commission Chairman to execute any other necessary documentation related to the adoption of Resolution #2020-102, including any other assurances, certificates and financing documents or approvals to affect such approval and purchase of one (1) 2020 International 3000 Gallon Tanker/Pumper. This approval does not in any way constitute any financial involvement or obligation of the Baldwin County Commission.

BA3 Memorandum of Understanding between the Alabama Law Enforcement Agency and the Baldwin County Commission for Office Space in Bay Minette

[20-1367](#)

Approve and authorize the Chairman to execute the Memorandum of Understanding (MOU) between the Alabama Law Enforcement Agency (ALEA) and the Baldwin County Commission for the provision of office space in the Oak Street Complex, located at 203 Oak Street, Bay Minette, Alabama 36507, and the assignment of one ALEA employee (minimum) to the Bay Minette location to provide driver license services to the citizens of Baldwin County.

This Agreement shall become effective upon its execution for a period of no more than five (5) years, commencing on August 4, 2020, and expiring on August 4, 2025.

BA4 Correspondence to the Office of United States Trade Representative Related Tariffs on Aircraft Parts and Components

[20-1373](#)

Confirm, ratify and approve the execution of a letter of support from the Baldwin County Commission, dated July 27, 2020, to the Office of the United States Trade Representative on behalf of Airbus and the thousands of Alabama aerospace workers and suppliers supporting the Gulf Coast communities, asking the Office of United States Trade Representative not to consider placing tariffs on aircraft parts and components as a result of Large Civil Aircraft Dispute (Docket Number USTR-2020-0023).

BD BALDWIN REGIONAL AREA TRANSIT SYSTEM (BRATS)

Chairman Underwood said there is one Agenda Item under Baldwin Regional Area Transit System (BRATS) and asked if there are any questions. Hearing none, Chairman Underwood called for a motion.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to approve Item BD1.

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

BD1 Braintree Payment Processing Solution - Integrated Mobility Innovation (IMI) Program Project

[20-1336](#)

Take the following actions between Baldwin County Commission (BCC) and Braintree Payment Services for Baldwin Regional Area Transit System (BRATS) to begin using a payment processing solution in conjunction with an online software to complete transportation bookings and payments for transportation:

- 1) Approve Braintree Payment Services Agreement, effective immediately upon signed agreement, and terminates upon ceasing to use Braintree Payment Services or providing PayPal with notice of your intent to terminate; and
- 2) Approve the Braintree Bank Agreement, effective immediately upon signed agreement, and terminates upon expiration of the use of Braintree Payment Services Agreement; and
- 3) Approve the Braintree Privacy Policy; and
- 4) Approve the Braintree Acceptable Use Policy; and
- 5) Approve the Braintree Electronic Signature Policy; and
- 6) Authorize the Clerk/Treasurer, on behalf of the Chairman, to electronically accept the above referenced agreements and related documents, and provide all other information necessary and permitted by law, as part of the Braintree account setup process.

BE BUDGET/PURCHASING

Chairman Underwood said there are five Agenda Items under Budget/Purchasing and asked if there are any questions. Hearing none, Chairman Underwood called for a motion.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to approve Items BE1 - BE5.

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

BE1 Competitive Bid #WG20-28 - Provision of Installation, Service and Operation of the Inmate Telephone and Video Visitation Services for the Baldwin County Sheriff's Office [20-1348](#)

Award Bid #WG20-28 to the bidder providing the highest total cost recovery rate percentage, Global Tel*Link Corporation, as follows for the Inmate Telephone and Video Visitation Services and authorize the Chairman to execute all necessary documents contingent upon the County Attorney approval.

Total Cost Recovery Rate Percentage to County

Option 1

88% Cost Recovery Rate for Inmate Phone Calls

\$150,000.00 One-time Signing Bonus

\$550,000.00 Minimum Annual Guarantee

50% Cost Recovery Rate for Inmate Video Visitation

Installation Time: Installation will be completed within 60 days after work begins.

BE2 Competitive Bid #WG20-38 - Provision of Pressure Washing Services for the Baldwin County Commission [20-1313](#)

Award Bid #WG20-38 for the provision of pressure washing services for the Baldwin County Commission to the lowest bidder meeting all of the bid specifications, Creek Clean, LLC, as per the Award Listing and authorize the Chairman to execute the Contract. The Contract shall be effective immediately upon the same date as its full execution for a period of twelve (12) months.

BE3 Competitive Bid #WG20-39 - Purchase and Installation of One (1) New 300 kW Generator and One (1) New 400 AMP Automatic Transfer Switch for the Baldwin County Revenue Commission Building Located in Bay Minette, Alabama [20-1326](#)

Make Addendum No. 1, which includes one (1) change and provides a drawing for added clarification to the bid specifications for the Purchase and Installation of One (1) New 300 kW Generator and One (1) New 400 AMP Automatic Transfer Switch for the Baldwin County Revenue Commission Building located in Bay Minette, Alabama, part of the August 4, 2020, official record of the Baldwin County Commission.

BE4 Amendment to the Contract for Architectural Services for a New Female Housing Addition to the Baldwin County Corrections Center and Renovations to the Existing Corrections Facility [20-1331](#)

Take the following actions:

- 1) Approve the Amendment to the AIA Contract for the architectural services with PH & J Architects, Inc., to add the renovations of the old City of Bay Minette Municipal Building purchased from the City of Bay Minette for the New Baldwin County Sheriff's Office in the amount of 6.5% of the construction cost; and
- 2) Include the demolition and removal of the existing water tank located on the jail site for architectural services in the amount 7.2% of the demolition cost and authorize the Chairman to execute the Amendment.

BE5 Rental of One (1) Copy Machine for the Baldwin County Emergency Management Agency Located in Robertsedale, Alabama

[20-1330](#)

Approve and authorize the Chairman to execute the rental agreement with Sharp Electronics Corporation for the rental of one (1) new copy machine off the State of Alabama bid for thirty-six (36) months effective the date of execution as follows:

Location: Baldwin County Emergency Management Agency - Robertsedale, Alabama
Model: MX-6071
Price: \$222.32/month
Excess Charge/copy: \$0.0054/BW, \$0.0400 Color

BH COMMUNICATIONS/INFORMATION SYSTEMS (CIS)

Chairman Underwood said there are three Agenda Items under Communications and Information Systems and asked if there are any questions. Hearing none, Chairman Underwood called for a motion.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Joe Davis, III, to approve Items BH1 - BH3.

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

BH1 Tower Equities, LLC - Fort Morgan Radio Tower Rental Agreement

[20-1360](#)

Approve and authorize the Chairman to execute a Radio Tower Rental Agreement between the Baldwin County Commission and Tower Equities, LLC. This Agreement will provide space to house P-25 infrastructure which will increase the coverage area for First Responders. The term of this Agreement shall commence on the first day of the month after the installation of the radio communications facility is complete and run for a period of five (5) years. If either party desires to terminate the lease as of the last day of

the term, or any automatic renewal thereof that party shall give the other written notice of such termination at least ninety (90) days before the expiration of the term. In the absence of such notice, the Agreement shall automatically renew for a five (5) year term. Under no circumstances shall this lease exceed four (4) consecutive five (5) year terms totaling twenty (20) years.

BH2 Tyler Technologies - Amendment to the License and Services Agreement between Baldwin County Commission and Tyler Technologies

[20-1338](#)

Related to the License and Services Agreement between Baldwin County Commission and Tyler Technologies, approved by the Baldwin County Commission on June 4, 2019, take the following actions:

- 1) Approve an Amendment and authorize the Chairman to sign all documents related to the Amendment to the License and Services Agreement which removes unused conversions in the amount of \$12,000.00 and thirty-eight (38) Genus I Mag Stripe Readers in the amount of \$53,580.00, totaling \$65,580.00 from the Agreement; and
- 2) Approve and authorize the Chairman to sign all documents related to the sales quotation for sixty-eight (68) implementation hours in the amount of \$11,900.00 and thirty-eight (38) Touchscreen 7 Mag Stripe Reader in the amount of \$68,514.00, totaling \$80,414.00.

BH3 Transfer of 2007 Dodge Durango SUV from Communication and Information Systems Department to Administration Department

[20-1368](#)

Take the following actions:

- 1) Approve the transfer, at no cost, of one (1) 2007 Dodge Durango (VIN #1D8HD38PX7FS84734) from the Communication and Information Systems Department (CIS) to the Administration Department; and
- 2) Authorize the Chairman to execute the Fixed Asset Change Form.

BJ ELECTED OFFICIALS

Chairman Underwood said there is one Agenda Item under Elected Officials and asked if there are any questions. Hearing none, Chairman Underwood called for a motion.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to approve Item BJ1.

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

BJ1 Approval of Appointment of Two Deputy Coroners in Training of Baldwin County, Alabama

[20-1337](#)

As requested, in writing to the Baldwin County Commission, by the Coroner of Baldwin County, the Honorable Dr. Brian Pierce, and pursuant to Section 11-5-34 of the Code of Alabama 1975, approve the appointment of Timothy Allen and Timothy Cooper as Deputy Coroners in Training of Baldwin County, Alabama, further, approve the Deputy Coroners in Training compensation at \$750.00 per month and eligible personal car mileage at the prevailing IRS rate in the official performance of the duties of Deputy Coroner in Training, said appointment, salary, compensation and eligible applicable car mileage to become effective August 15, 2020.

BK EMERGENCY MANAGEMENT AGENCY (EMA)

Chairman Underwood said there are two Agenda Items under Emergency Management Agency (EMA) and asked if there are any questions. Hearing none, Chairman Underwood called for a motion.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to approve Items BK1 - BK2.

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

BK1 Alabama Mutual Aid System (AMAS) Agreement

[20-1366](#)

Approve and authorize the Chairman to execute the Alabama Mutual Aid System (AMAS) for reciprocal emergency aid and assistance between multiple agencies in case of emergencies too extensive to be dealt with unassisted.

This Agreement shall be in effect for one (1) year from the date hereof and shall automatically be renewed in successive one (1) year terms unless terminated in writing by the participating political subdivision. Notice of such termination shall be made in writing and shall be served personally or by registered mail upon the Director, State Emergency Management Agency (EMA), which shall provide copies to all other participating parties. Written notification shall be submitted no later than sixty (60) days prior the requested date termination. This Agreement shall be in full force and effect upon approval by the participating political subdivision and upon proper execution

hereof.

BK2 Memorandum of Understanding between South Alabama Regional Planning Commission Area Agency on Aging and the Baldwin County Commission (Emergency Management Agency)

[20-1321](#)

Approve and authorize a Memorandum of Understanding (MOU) between South Alabama Regional Planning Commission (SARPC) Area Agency on Aging and the Baldwin County Commission Emergency Management Agency. This MOU provides a mechanism for Baldwin County through its EMA and SARPC/AAA to partner and support the citizens of Baldwin County during natural and manmade disaster. This MOU shall become effective upon signature by the authorized official from parties and will remain in effect until modified or terminated by any one of the parties by mutual consent.

E COMMITTEE REPORTS

EA FINANCE/ADMINISTRATION DIVISION

EA1 Payment of Bills

[20-1362](#)

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, to pay bills totaling \$13,344,691.44 (thirteen million, three hundred forty-four thousand, six hundred ninety-one dollars and forty-four cents).

Of this amount, \$10,100,703.58 (ten million, one hundred thousand, seven hundred three dollars and fifty-eight cents) is payable to the Baldwin County Board of Education and \$607,686.29 (six hundred seven thousand, six hundred eighty-six dollars and twenty-nine 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

[20-1361](#)

Wayne Dyess, County Administrator, informed the Commission that the Baldwin County Commission Interim Payments - August 4, 2020, made by the Clerk/Treasurer, totaling \$1,920,227.30 (one million, nine hundred twenty thousand, two hundred twenty-seven dollars and thirty cents) are a part of the record.

BM FINANCE AND ACCOUNTING

Chairman Underwood said there is one Agenda Item under Finance and Accounting and asked if there are any questions. Hearing none, Chairman Underwood called for a motion.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber to approve Item BM1.

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

BM1 Wolters Kluwer CCH Accounting Research Manager for Government - Government Library Subscription

[20-1316](#)

Take the following actions:

- 1) Approve an online subscription in the amount of \$1,710.27 to Wolters Kluwer for the CCH Accounting Research Manager for Government - Government Library. The subscription is for the time-period beginning on September 1, 2020, and ending on August 31, 2021, with the option to automatically renew the subscription annually; and
- 2) Authorize the Chairman to execute the agreement between Wolters Kluwer and the Baldwin County Commission for the subscription with automatic annual renewal.

BN HIGHWAY

Chairman Underwood said there is one Agenda Item under Highway and asked if there are any questions. Hearing none, Chairman Underwood called for a motion.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Joe Davis, III, to approve Item BN1.

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

BN1 Speed Limit on Jimmy Faulkner Drive

[20-1319](#)

Approve a request by the City of Spanish Fort to lower the speed limit on Jimmy Faulkner Drive from 55 MPH to 45 MPH between 0.04 miles north of Tanager Lane to 0.36 miles south of D'Olive Road (County maintained portion).

BQ PERSONNEL

Chairman Underwood said there are eight Agenda Items under Personnel and asked if there are any questions. Hearing none, Chairman Underwood called for a motion.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to approve Items BQ1 - BQ8.

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

BQ1 Baldwin Regional Area Transit System Department - Position Changes

[20-1342](#)

Take the following actions:

- 1) Abolish the full-time Bus Driver position (PID #5185); and
- 2) Create one (1) part-time Bus Driver position (PID #TBD) (grade G range: \$12.967 - \$21.265 per hour); and
- 3) Create one (1) part-time Non-CDL Bus Driver position (PID #TBD) (grade F range: \$11.810 - \$19.350 per hour); and
- 4) Approve the updated organizational chart for the BRATS Department.

BQ2 Highway Department (Foley) - Personnel Changes

[20-1346](#)

Approve the promotion of Charles Crawford from the Operator Technician I position (PID #638) grade G-03 (\$13.962 per hour/\$29,040.96 annually) to fill the open Operator Technician II position (PID #344) at a grade H-02 (\$14.967 per hour/\$31,131.36 annually) to be effective no sooner than August 17, 2020.

BQ3 Highway Department (Silverhill) - Personnel Changes

[20-1347](#)

Take the following actions:

- 1) Approve the promotion of Ian Hantz from the Laborer position (PID #927) grade E-EL (\$10.781 per hour/\$22,242.48 annually) to fill the open Operator Technician I position (PID #684) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually); and
- 2) Approve the promotion of Donell Mathieu from the Laborer position (PID #5488) grade E-EL (\$10.781 per hour/\$22,242.48 annually) to fill the open Operator Technician I position (PID #675) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually); and
- 3) Approve the promotion of Devin Sellers from the Laborer position (PID #5491) grade E-EL (\$10.781 per hour/\$22,242.48 annually) to fill the open Operator Technician II position (PID #895) at a grade H-EL (\$14.246 per hour/\$29,631.68 annually).

These actions will be effective no sooner than August 17, 2020.

BQ4 Parks Department - Employment of Two (2) Landscape Technician I Positions

[20-1345](#)

Take the following actions:

- 1) Approve the employment of C. Levi Stacey to fill the open Landscape Technician I position (PID #1089) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually); and
- 2) Approve the employment of Blake Perry to fill the open Landscape Technician I position (PID #5139) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually).

These actions will be effective no sooner than August 20, 2020.

BQ5 Juvenile Detention Center - Request for Leave of Absence

[20-1341](#)

At the request of the Juvenile Detention Center (JDC) Director, approve a Leave of Absence for employee #191525 beginning July 28, 2020, for up to a 3-month period as outlined in the Baldwin County Employee Handbook, Section IV.I. "If an employee exhausts all of his or her annual, sick and FMLA leave and still needs additional time off for personal or health reasons, he or she may apply for an unpaid leave of absence for a period of up to three (3) months. The request for leave must be given to the employee's supervisor and Appointed Department Head at least thirty (30) days prior to the start of the requested leave date unless the leave is an emergency. Any request for leave of absences must be approved or denied by the County Commission."

BQ6 Revenue Commission - Request for Leave of Absence

[20-1340](#)

At the request of the Revenue Commissioner, approve a Leave of Absence for employee #191750 beginning July 16, 2020, for up to a 3-month period as outlined in the Baldwin County Employee Handbook, Section IV.I. "If an employee exhausts all of his or her annual, sick and FMLA leave and still needs additional time off for personal or health

reasons, he or she may apply for an unpaid leave of absence for a period of up to three (3) months. The request for leave must be given to the employee's supervisor and Appointed Department Head at least thirty (30) days prior to the start of the requested leave date unless the leave is an emergency. Any request for leave of absences must be approved or denied by the County Commission."

BQ7 Sales, Use, and License Tax Department - Employment of One (1) Deputy License Inspector I Position

[20-1343](#)

Approve the employment of Anthony Austin to fill the open Deputy License Inspector I position (PID #5532) at a grade I-EL (\$15.629 per hour/\$32,508.32 annually) to be effective no sooner than August 10, 2020.

BQ8 Solid Waste Department - Personnel Changes

[20-1344](#)

Take the following actions:

- 1) Approve the employment of Tyler Haigler to fill the open Landfill Equipment Operator II position (PID #1049) at a grade H-EL (\$14.246 per hour/\$29,631.68 annually) at the Solid Waste Magnolia Landfill (54300); and
- 2) Approve the employment of Odell Williams to fill the open Landfill Equipment Operator II position (PID #5452) at a grade H-EL (\$14.246 per hour/\$29,631.68 annually) at the Solid Waste Eastfork Landfill (54331); and
- 3) Approve the employment of Matthew Silkwood to fill the open Landfill Equipment Operator IV position (PID #376) at a grade J-EL (\$17.176 per hour/\$35,726.08 annually) at the Solid Waste McBride Landfill (54330); and
- 4) Approve the employment of Michelle Martinez to fill the open Billing Account Specialist I position (PID #1018) at a grade G-EL (\$12.967 per hour/\$26,971.36 annually) at the Solid Waste Collections Administration (54801).

These actions will be effective no sooner than August 10, 2020.

BR PLANNING AND ZONING

Wayne Dyess, County Administrator, said there are letters of support attached to Agenda Item BR2 - Planning (Zoning) District 19.

Chairman Underwood said there are four Agenda Items under Planning and Zoning and asked if there are any questions. Hearing none, Chairman Underwood called for a motion.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to approve Items BR1 - BR4.

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

BR1 Proposed Planning (Zoning) District 11 [20-1350](#)

Approve the boundaries for the proposed Planning District to be known as Planning (Zoning) District 11.

BR2 *Proposed Planning (Zoning) District 19 [20-1349](#)

Approve the boundaries for the proposed Planning District to be known as Planning (Zoning) District 19.

BR3 Proposed Planning (Zoning) District 34 [20-1358](#)

Accept the notice of intent to form a Planning (Zoning) District and request a referendum for Planning and Zoning purposes for the proposed Planning District to be known as Planning (Zoning) District 34.

BR4 Community Rating System (CRS) Program Recertification [20-1357](#)

Authorize the County Commission Chairman to Execute the Annual Community Rating System (CRS) Recertification Form.

C PRESENTATIONS

D PUBLIC HEARINGS

DR PLANNING AND ZONING

Wayne Dyess, County Administrator, said the proofs of publication for each of the public hearing items are a part of the Commissioners' addendum packet.

DR1 *Case No. Z-20008 - Lambert Ventures LLC Property Rezoning [20-1351](#)

Vince Jackson, Planning Director, appeared before the Commission and provided background information on the subject property.

Chairman Underwood opened the public hearing at 8:44 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Underwood

closed the public hearing at 8:44 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt Resolution #2020-103, which approves Case No. Z-20008 - Lambert Ventures LLC property, as it pertains to the rezoning of approximately 13 acres, located in Planning (Zoning) District 28, from RSF-2 Single Family District, to RA, Rural Agricultural District.

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

DR2 *Case No. Z-20009 - Hrabovsky Property Rezoning

[20-1352](#)

Vince Jackson, Planning Director, appeared before the Commission and provided background information on the subject property.

The Commissioners and staff discussed the distinction between a family farm and a commercial farm.

Chairman Underwood opened the public hearing at 8:49 a.m. and asked if there is anyone present who wishes to speak.

Mr. Chuck Tracy, a resident of Yorkshire Subdivision, appeared before the Commission and commented on his concerns regarding the one way in and out of the subdivision and what will happen if the property turns into a commercial poultry farm. Mr. Tracy said he is against the rezoning.

Mr. Jerry Pyle, a resident of Yorkshire Subdivision, appeared before the Commission and commented on the lack of distinction between a commercial farm and residential farm, safety in the neighborhood and the property values of the homes in the subdivision.

Mr. Steve Hrabovsky, the applicant and owner of the subject property, appeared before the Commission and commented on the condition of the road, the structure located on the property and his desire to continue some type of farming activity on the property.

There being no further requests to address the Commission, Chairman Underwood closed the public hearing at 8:55 a.m.

Mr. Jackson clarified that there is no specific definition of a family farm or commercial farm, he was speaking on the definition of agriculture.

The Commissioners and Mr. Jackson discussed on the difference between commercial chicken farming versus having a chicken coop, raising animals, uses allowed under the RSF-E and RA zoning designations and the number of lots allowed under the designations, down-zoning of the property, limitations to the number of houses allowed, and the possibility of a second exit and entrance into the neighborhood.

Commissioner Davis commented on how the applicant could place a sound buffer to mitigate or reduce sound and light from the neighbors.

The Commissioners and Mr. Jackson discussed the possibilities allowed under the RSF-E designation and the traffic volume under the current zoning versus the proposed designation.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to adopt Resolution #2020-104, which approves Case No. Z-20009 - Hrabovsky Property, as it pertains to the rezoning of approximately 23 acres, located in Planning (Zoning) District 15, from RSF-4, Single Family District, to RSF-E, Residential Single Family Estate District.

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

DR3 *Case No. Z-20012 - Sweatt Property Rezoning

[20-1353](#)

Vince Jackson, Planning Director, appeared before the Commission and provided background information on the subject property.

Commissioner Ball and Mr. Jackson discussed issues with a multi-family development as the reason a member of the Planning and Zoning Commission voted against the rezoning request.

Chairman Underwood opened the public hearing at 9:09 a.m. and asked if there is anyone present who wishes to speak.

Mr. Trey Jinright, the applicant, appeared before the Commission and commented on the property's compliance with zoning requirements and showed the Commissioners a photographic rendering of the proposed development.

There being no further requests to address the Commission, Chairman Underwood closed the public hearing at 9:11 a.m.

Commissioner Davis commented regarding the property owners and developers having been top notch in the development of the property and said for the record, that he applauds the opportunity to let them grow an additional footprint that will enhance the area.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Joe Davis, III, to adopt Resolution #2020-105, which approves Case No. Z-20012 - Sweatt Property, as it pertains to the rezoning of approximately 23.22 acres, located in Planning (Zoning) District 15, from RSF-1, Single Family District, RMF-6, Multiple Family District, and B-2, Neighborhood Business District, to HDR, High Density Residential District.

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

DR4 *Case No. Z-20016 - Puckett Property Rezoning

[20-1354](#)

Vince Jackson, Planning Director, appeared before the Commission and provided background information on the subject property.

Chairman Underwood opened the public hearing at 9:14 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Underwood closed the public hearing at 9:14 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt Resolution #2020-106, which approves Case No. Z-20016 - Puckett Property, as it pertains to the rezoning of approximately one (1) acre, located in Planning (Zoning) District 15, from RSF-E, Residential Single Family Estate District, to B-3, General Business District.

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

DR5 Case No. Z-20017 - Pelfrey Property Rezoning

[20-1355](#)

Vince Jackson, Planning Director, appeared before the Commission and provided

background information on the subject property.

Chairman Underwood opened the public hearing at 9:17 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Underwood closed the public hearing at 9:17 a.m.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to adopt Resolution #2020-107, which approves Case No. Z-20017 - Pelfrey Property, as it pertains to the rezoning of approximately 13.9 acres, located in Planning (Zoning) District 22, from RSF-1, Single Family District, to RA, Rural Agricultural District.

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

DR6 *Case No. Z-20018 - DCF LLC Property Rezoning

[20-1356](#)

Vince Jackson, Planning Director, appeared before the Commission and provided background information on the subject property.

Chairman Underwood opened the public hearing at 9:19 a.m. and asked if there is anyone present who wishes to speak.

Mr. David Diehl, with SC Civil, appeared before the Commission to answer any questions.

There being no further requests to address the Commission, Chairman Underwood closed the public hearing at 9:20 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adopt Resolution #2020-108, which approves Case No. Z-20018 - DCF, LLC, Property, as it pertains to the rezoning of approximately 38 acres, located in Planning (Zoning) District 15, from RA, Rural Agricultural District, to RSF-2, Single Family District.

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 and Wayne Dyess, County Administrator, commented on the new process instituted by the Planning and Zoning Commission to better communicate with the applicants.

F DISCUSSION ITEMS

FQ PERSONNEL

FQ1 Request to Temporarily Waive Annual Leave Rollover Maximum Rates

[20-1339](#)

Wayne Dyess, County Administrator, said staff is requesting this item be discussed at a later date.

No action taken.

G COMMISSIONER REQUESTS

H ADDENDA

I ADMINISTRATIVE REPORT

J COUNTY ATTORNEY'S REPORT

Brad Hicks, County Attorney, said there are two items for the Commissioners to discuss during an executive session.

K PUBLIC COMMENTS

Ms. Kathleen Pizatello, a resident of Baldwin County, appeared before the Commission in opposition to the bridge closure in the Linholm community in Robertsedale and to request immediate relief. Ms. Pizatello read a proposal for the Commission and the City of Robertsedale to provide a more reasonable and safe alternative to the road closure and read statements of opposition from other families who could not attend the meeting.

Mr. Frank Moorehead appeared before the Commission and commented on the length of time it takes for emergency services to reach his home due to the bridge closure and the time it takes for his employees to reach his home business.

Mr. Randall Powell appeared before the Commission and commented on the lack of notice residents received and the amount of time it takes for his family to take the detour.

Ms. Lisa Walton appeared before the Commission and commented on the amount of time it takes to get around the bridge closure in the Linholm Subdivision.

Ms. JoAnn Moorehead appeared before the Commission and said the bridge closure will be an issue with the upcoming start of the new school year.

Chairman Underwood asked Joey Nunnally, County Engineer, to address the

concerns that have been expressed.

Mr. Nunnally and the Commissioners commented on the history of Linholm Road, the amount of money the Commission has spent on the road, the condition of the bridge, the Highway Department's public notice process, the new culvert that will replace the bridge, the process to build an onsite detour, the construction of a stream by-pass, the addition of the two-lane culvert and the timeline to finish the project.

L PRESS QUESTIONS

M COMMISSIONER COMMENTS

The Commissioners provided their closing comments.

N ADJOURNMENT

Brad Hicks, County Attorney, said there are two executive session items to discuss with the Commissioners. Mr. Hicks recommended the Commission enter 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 and to discuss preliminary negotiations involving matters of trade or commerce in which the governmental body is in competition with private individuals or entities or other governmental bodies in Alabama or in other states or foreign nations or to discuss matters or information of the character defined or described in the Alabama Trade Secrets Act.

Mr. Hicks said he is an attorney licensed to practice law in the State of Alabama and the exception is applicable to the planned discussion.

Mr. Lawson appeared before the Commission has been involved in the recruitment effort and hereby makes the oral declaration that he has personal knowledge that the discussion may involve matter or information of the character defined in or described in the Alabama Trade Secrets Act and that the discussions would have a detrimental effect upon the competitive position of the party to the negotiations or upon the location, retention, expansion or upgrading of a business entity in the area served by the Baldwin County Commission if disclosed outside of an executive session or would reveal information protected by the Alabama Trade Secrets Act.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adjourn into an executive session at 9:49 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 and to discuss preliminary negotiations involving matters of trade or commerce in which the governmental body is in competition with private individuals or entities or other governmental bodies in Alabama or in other states or foreign nations or to discuss matters or information of the character defined or described in the Alabama Trade Secrets Act.

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 the August 4, 2020, Baldwin County Commission Regular meeting will adjourn into an executive session at 9:49 a.m.

A handwritten signature in black ink that reads "Billie Jo Underwood". The signature is written in a cursive, flowing style with a large initial "B" and "J".