

# Baldwin County Commission

Baldwin County Commission Regular  
Meeting Minutes  
Tuesday, December 1, 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

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## 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 8:31 a.m. After the prayer led by Doctor Barry Carpenter, Pastor of Daphne United Methodist Church, and the Pledge of Allegiance led by Commissioner Charles F. Gruber, the Commission transacted the following business to-wit:

### A ADOPTION OF MINUTES

November 17, 2020, Regular Meeting

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to adopt the minutes of the November 17, 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 ACTION ITEMS

#### BA ADMINISTRATION

Wayne Dyess, County Administrator, said there are 12 Items under Administration for the Commission's approval.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo

Underwood, to approve Items BA1-BA12.

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** Alabama Department of Senior Services/Senior Community Service  
Employment Program Host Agency Agreement

[21-0059](#)

Approve and authorize the Chairman to execute the Alabama Department of Senior Services (ADSS), Senior Community Service Employment Program (SCSEP) Agreement between the Baldwin County Commission and South Alabama Regional Planning Commission (SARPC) for the provision of two Information Attendant (IA) positions to the Baldwin County Commission. The Commission's contribution for the program will be \$1,150.00 per Senior Aide per contract year. The term of this Agreement shall commence on July 1, 2020, and shall terminate on June 30, 2021.

**BA2** Baldwin County Emergency Communication District (911 Board) - Board  
Appointment(s)

[21-0199](#)

Related to the Baldwin County Emergency Communication District (911 Board), take the following action:

1) Reappoint Raymond (Tony) Lovell as a member for a four-year term, to commence on January 1, 2021, and expire on January 1, 2025.

**BA3** Perdido Bay Water, Sewer and Fire Protection District - Board  
Appointment(s)

[21-0146](#)

Related to the Perdido Bay Water, Sewer and Fire Protection District Authority, take the following action:

1) Re-appoint Mr. Darrell Crase as a member of the Board of Directors for a four (4) year term, said term to commence on December 31, 2020, and to expire on December 31, 2024.

**BA4** City of Daphne - Annexation Notification

[21-0234](#)

Authorize the placement of the City of Daphne's Annexation Ordinance 2020-30, annexing property into the corporate limits of the municipality of the City of Daphne, Alabama, into the minutes of the December 1, 2020, Baldwin County Commission

meeting with proper notifications to the following department/organizations:

Baldwin County Commission:

Building Inspection Department

Communications/Information Systems Department

Environmental Management/Solid Waste

Highway Department

Planning and Zoning Department

Elected Officials:

Baldwin County Revenue Commission

Baldwin County Sheriff's Office

Other Agencies:

Board of Registrars Office

Emergency 911

South Alabama Regional Planning Commission

**BA5** Consideration for Rescheduling Certain Baldwin County Commission  
Work Session Meetings and Regular Meetings in 2021

[21-0209](#)

Adopt Resolution #2021-028 which approves the following:

- 1) The January 18, 2021, Work Session Meeting of the Baldwin County Commission is rescheduled to instead, be held and conducted on Tuesday, January 19, 2021, at 8:30 a.m., in the County Commission Chambers in the Baldwin County Administration Building as located at 322 Courthouse Square, Bay Minette, Alabama; and
- 2) The January 19, 2021, Regular Meeting of the Baldwin County Commission is rescheduled to begin at 10:00 a.m., in the Commission Chambers in the Baldwin County Administration Building as located at 322 Courthouse Square, Bay Minette, Alabama; and
- 3) The February 15, 2021, Work Session Meeting of the Baldwin County Commission is rescheduled to instead, be held and conducted on Wednesday, February 17, 2021, at 8:30 a.m., in the County Commission Chambers in the Baldwin County Administration Building as located at 322 Courthouse Square, Bay Minette, Alabama; and
- 4) The February 16, 2021, Regular Meeting of the Baldwin County Commission is rescheduled to instead, be held and conducted on Wednesday, February 17, 2021, at 10:00 a.m., in the County Commission Chambers in the Baldwin County Administration Building as located at 322 Courthouse Square, Bay Minette, Alabama; and
- 5) The May 31, 2021, Work Session Meeting of the Baldwin County Commission is rescheduled to instead, be held and conducted on Tuesday, June 1, 2021, at 8:30 a.m., in the County Commission Chambers in the Baldwin County Administration Building as

located at 322 Courthouse Square, Bay Minette, Alabama; and

6) The June 1, 2021, Regular Meeting of the Baldwin County Commission is rescheduled to begin at 10:00 a.m., in the Commission Chambers in the Baldwin County Administration Building as located at 322 Courthouse Square, Bay Minette, Alabama; and

7) The July 5, 2021, Work Session Meeting of the Baldwin County Commission is rescheduled to instead, be held and conducted on Tuesday, July 6, 2021, at 8:30 a.m., in the County Commission Chambers in the Baldwin County Administration Building as located at 322 Courthouse Square, Bay Minette, Alabama; and

8) The July 6, 2021, Regular Meeting of the Baldwin County Commission is rescheduled to begin at 10:00 a.m., in the Commission Chambers in the Baldwin County Administration Building as located at 322 Courthouse Square, Bay Minette, Alabama; and

9) The September 6, 2021, Work Session Meeting of the Baldwin County Commission is rescheduled to instead, be held and conducted on Tuesday, September 7, 2021, at 8:30 a.m., in the County Commission Chambers in the Baldwin County Administration Building as located at 322 Courthouse Square, Bay Minette, Alabama; and

10) The September 7, 2021, Regular Meeting of the Baldwin County Commission is rescheduled to begin at 10:00 a.m., in the Commission Chambers in the Baldwin County Administration Building as located at 322 Courthouse Square, Bay Minette, Alabama.

**BA6** County Take Home Vehicle List - December 2020

[21-0152](#)

Approve the "County Take Home Vehicle List - December 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 201.

**BA7** Professional Services Contract with QuickCaption, Inc. - Closed Captioning Services for Baldwin County Commission Meetings

[21-0200](#)

Approve the Agreement for Professional Services between QuickCaption, Inc. and the Baldwin County Commission for closed captioning services. This Contract shall be effective and commence on December 6, 2020, and the same shall terminate upon the expiration of thirty-six (36) months, on December 5, 2023, or upon written notification thereof received by either party. This contract cancels, supersedes and replaces any and all other agreements previously approved between QuickCaption, Inc. and the Baldwin County Commission.

**BA8** Resolution #2021-026 - Designation of Alabama Secretary of State as Agent for Voter File Maintenance Program - Act No. 95-769

[21-0195](#)

Adopt Resolution #2021-026, which appoints the Alabama Secretary of State to serve as the Baldwin County Commission's agent for the purposes of paying postage costs necessary for the mailing of certain notices to voters as required by Code of Alabama 1975 section 17-4-31, and collecting reimbursements for such costs from the Alabama State Elections Fund as provided for by Code of Alabama 1975, section 17-4-31, and, furthermore, authorizes the Chairman and members of the Baldwin County Commission to execute an Agency Agreement between the Alabama Secretary of State and the Baldwin County Commission related to the aforesaid.

The Agency Agreement shall commence upon full execution between the parties and remain in effect until terminated.

**BA9** Revision of Baldwin County Commission Policy #2.23 - Reservation of Live Oak Landing and Bicentennial Park Facilities

[21-0254](#)

Adopt the revised Baldwin County Commission Policy #2.23 - Reservation of Live Oak Landing and Bicentennial Park Facilities and incorporate the revised policy into the Baldwin County Policies and Procedures Book.

The effective date of the policy revision will be December 21, 2020.

**BA10** Transfer of 2007 Dodge Durango SUV from Administration Department to Planning and Zoning Department

[21-0208](#)

Take the following actions:

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

**BA11** Gateswood Annual Volunteer Fire Department 2020 Christmas Parade

[21-0196](#)

Approve the request from Gateswood Volunteer Fire Department to close County Road 112 for its Annual Christmas Parade on December 5, 2020, between 11:30 a.m. until 11:45 a.m., with the route beginning at 33014 County Road 112 (Gateswood Fire Department), traveling to 32815 County Road 112 (Hamilton Baptist Church), and returning to Gateswood Volunteer Fire Department.

**BA12** Vaughn Community - 2020 Christmas Parade

[21-0201](#)

Take the following actions:

- 1) Approve the request from the citizens of the Vaughn Community from Stockton, Alabama, to use County Road 21, Bryant's Landing Road and Vaughn Circle for their Annual Christmas parade on Saturday, December 19, 2020, beginning at 1:00 p.m.; and
- 2) Authorize the Baldwin County Highway Department, Traffic Control Division, to provide the necessary barricades for the event.

The Baldwin County Sheriff's Office will provide the necessary security for the event.

## **BE BUDGET/PURCHASING**

Wayne Dyess, County Administrator, said there are five Items under Budget/Purchasing for the Commission's approval.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, 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 #WG20-31 - Purchase and Installation of Two (2) New 40 ft. x 50 ft. Metal Buildings in Little River, Alabama and Loxley, Alabama for the Baldwin County Commission [21-0210](#)

Approve Change Order #1 in the amount of \$4,990.00 with J. Smith Contractors, LLC, for the Purchase and Installation of 40 ft. x 50 ft. Metal Building located at Little River, Alabama and authorize the Chairman to execute Change Order.

**BE2** Competitive Bid #WG20-52A - Provision of Push-To-Talk over Cellular (PoC) Services & Equipment Monthly Rental for the Baldwin County Commission [21-0205](#)

Award Bid #WG20-52A for the provision of Push-To-Talk over Cellular (PoC) services and equipment monthly rental to the lowest responsible bidder, who met the specifications, Two-Way Communications, Inc., D/B/A 2-Way Communications, Inc., per the award listing.

**BE3** Competitive Bid #WG21-02 - Construction of One (1) New 40 ft. x 60 ft. Pole Barn to be Located at the Bicentennial Park in Stockton, Alabama for [21-0197](#)

the Baldwin County Commission

Take the following actions:

- 1) Reject the bid received and authorize the Purchasing Director to re-bid for the construction of one (1) new 40 ft. x 60 ft. pole barn to be located at the Bicentennial Park in Stockton, Alabama because the bid amount exceeded the amount budgeted for this project; 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** Project No. TIDP-0220(251) - Bridge Deck Replacement at Two Sites - BCP -0206219 CR 65 Over Turkey Branch (BIN161349) and BCP 0206319 Doc McDuffie Road Over Wolf Creek (BIN19657)

[21-0083](#)

Award the bid for Project No. TIDP-0220(251) - Bridge Deck Replacement at Two (2) Sites - BCP - 0206219 CR 65 Over Turkey Branch (BIN161349) and BCP 0206319 Doc McDuffie Road Over Wolf Creek (BIN19657) to the lowest bidder, Blade Construction, LLC, in the Bid Amount of \$1,429,288.99; Construction Time: 75 working days; and authorize the Chairman to execute the Contract.

**BE5** Request for Waiver of Sales Tax Penalty

[21-0229](#)

Approve sales tax penalty waiver request for taxpayer #27629 in the amount of \$16,814.16.

**BF BUILDING INSPECTION**

Wayne Dyess, County Administrator, said there is one Item under Building Inspection for the Commission's approval.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to approve Item BF1.

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

**BF1** Baldwin County Building Code Board of Appeals - Board Appointment(s)

[21-0204](#)

To accomplish the provisions set forth in the adopted 2018 International Building Codes, Administration, Section 113, Board of Appeals and the Baldwin County Commission Resolution #2019-075 and #2020-119, take the following actions:

- 1) Re-appoint Mr. Cliff Pitman as a regular member of the Baldwin County Building Code Board of Appeals for a three (3) year term, such term continuing from October 21, 2020 and expiring on October 21, 2023; and
- 2) Re-appoint Mr. Mark Acreman as a regular member of the Baldwin County Building Code Board of Appeals for a three (3) year term, such term continuing from October 21, 2020, and expiring on October 21, 2023; and
- 3) Re-appoint Mr. Malcom "Mack" Byrd as a regular member of the Baldwin County Building Code Board of Appeals for a three (3) year term, such term continuing from October 21, 2020, and expiring on October 21, 2023; and
- 4) Re-appoint Mr. Richard Peterson, P.E. as a regular member of the Baldwin County Building Code Board of Appeals for a three (3) year term, such term continuing from October 21, 2020, and expiring on October 21, 2023; and
- 5) Re-appoint Mr. Timothy Barnhill as a regular member of the Baldwin County Building Code Board of Appeals for a three (3) year term, such term continuing from October 21, 2020, and expiring on October 21, 2023; and
- 6) Re-appoint Mr. Martin Pitts as an alternate member of the Baldwin County Building Code Board of Appeals for a three (3) year term, such term continuing from October 21, 2020, and expiring on October 21, 2023; and
- 7) Re-appoint Mr. Clayton Salter as an alternate member of the Baldwin County Building Code Board of Appeals for a three (3) year term, such term continuing from October 21, 2020, and expiring on October 21, 2023.

## **BL ENVIRONMENTAL MANAGEMENT**

Wayne Dyess, County Administrator, said there are two Items under Environmental Management for the Commission's approval.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to approve Items BL1-BL2.

The motion passed by the following vote:

|                |     |   |
|----------------|-----|---|
| <b>Aye:</b>    | 4 - | James E. Ball, Joe Davis III, BillieJo Underwood, and Charles F. Gruber |
| <b>Nay:</b>    | 0   |   |
| <b>Absent:</b> | 0   |   |



**Abstain:** 0

**BL1** Magnolia Landfill, MacBride Landfill, and Eastfork Landfill Minor Modification Application

[21-0252](#)

Take the following action:

1) Authorize the Chairman to execute Alabama Department of Environmental Management (ADEM) forms associated with the variance request to allow Alternate Daily Cover at all Baldwin County Commission Landfill facilities consisting of 50/50 Shredded Green Waste/Soil Mixture.

Magnolia Landfill, Permit 02-03 - ADEM Form 439 (Minor Modification)

MacBride Landfill, Permit 02-11 - ADEM Form 305 (Minor Modification)

Eastfork Landfill, Permit 02-12 - ADEM Form 305 (Minor Modification)

**BL2** Mandatory Garbage Fees - Low Income Exemption Applications Fiscal Year 2020

[21-0246](#)

Take the following actions related to the persons who have applied to be exempt from the Baldwin County mandatory garbage fees by the Baldwin County Low Income Exemption program:

3rd Quarter Ending September 30, 2020:  
Approve 29 and Deny 5 Low Income Applicants

**BM FINANCE AND ACCOUNTING**

Wayne Dyess, County Administrator, said there are three Items under Finance and Accounting for the Commission's approval.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to approve Items BM1-BM3.

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** Election Expense Funding Application Related to COVID-19

[21-0249](#)

Take the following actions:

- 1) Approve the total of \$14,175.00 to be paid through Finance and Accounting for the additional 12 Absentee Election Workers as it specifically relates to the November 3, 2020, General Election; and
- 2) Approve for an additional total of \$14,175.00 to be included on the application to the Secretary of State for reimbursement related to the prevention, preparation and response to the COVID-19 Pandemic as it specifically relates to the November 3, 2020, General Election; and
- 3) Authorize the Absentee Election Manager of Baldwin County to sign the Total Request and Certification if any requested funding is applicable to the Absentee Election Manager; and
- 4) Authorize the Chairman to sign the Total Request and Certification and submit the documentation to the Secretary of State for reimbursement.

**BM2**    Merchant Processing Application and Agreements for various  
Departments and Divisions

**21-0189**

Take the following actions related to Merchant Services:

- 1) Approve Hancock Whitney Merchant Processing Application and Agreements, effective immediately upon signed Agreements, terminating July 2, 2022. Fees for services agree with the Request for Proposal response approved by the Commission on July 2, 2019. Application and Agreements are for the following Departments/Divisions:
  - a) Building Department
  - b) Planning and Zoning Department
  - c) Sales and Use Tax Department
  - d) Administration and Parks Departments for Live Oak Landing
  - e) Administration Department for the Animal Shelter
  - f) Baldwin County Sheriff's Office Offender Registration Division
  - g) Baldwin County Sheriff's Office Community Corrections Division; and
- 2) Approve the TransArmor Data Protection and Clover Security Services Participation Addendum to the Merchant Service Agreement for the Baldwin County Animal Shelter, effective immediately upon signed Agreement, ending one (1) year from effective date with automatic renewal until terminated upon at least thirty (30) days' notice. TransArmor charges a \$9.95 monthly service fee; and
- 3) Approve the Authorize.Net Payment Gateway Account Setup Forms; effective immediately upon signed Agreements, terminating at the Commission's discretion. Gateway fees include a monthly fee of \$15.00 for each location and a \$0.10 transaction fee and \$0.10 daily batch fee which are passed on to the credit card holder. The initial setup fee has been waived. Gateway Setup forms are for the following Departments:

- a) Planning and Zoning Department
  - b) Administration and Parks Department for the Animal Shelter; and
- 4) Approve the Hancock Whitney Equipment Agreement for six (6) FD150 terminals for a cost of \$333.00 each, one (1) FD150 terminal at no cost, and one (1) Clover Go terminal for a cost of \$108.00 for a total cost of \$2,106.00; and
- 5) Adopt Resolution #2021-029, authorizing Clerk/Treasurer, Adria Cian Harrison, to sign necessary agreements and any other necessary supporting documents, as part of the Merchant Services, Virtual Terminal, and related Equipment setup process.

**BM3** Publication of Baldwin County's Draft Unaudited Financial Status

[21-0202](#)

Approve the one-time publication of the county's draft unaudited financial status for the 12-month period ending on September 30, 2020, in all Gulf Coast Newspapers as required by the Code of Alabama 1975, Section 11-3-21.

**BN HIGHWAY**

Wayne Dyess, County Administrator, said there are nine Items under Highway for the Commission's approval, including a replacement attachment for Item BN7 - Fiscal Year 2021 Resurfacing Projects - Group 3 and Group 3RA - Request for Permission to Advertise.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to approve Items BN1-BN9 including the replacement attachment for Item BN7.

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** Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0221319 - Bemis Lane (Tract 3)

[21-0241](#)

Take the following actions:

- 1) Accept 0.167 acres on Bemis Lane (Tract 3) as a right-of-way donated to Baldwin County by Donald A. Foley and Debra W. Foley on July 20, 2020 (Instrument No. 1844361 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the

donated right-of-way.

**BN2**    Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0221319 - Bemis Lane (Tract 4)

[21-0242](#)

Take the following actions:

- 1) Accept 0.325 acres on Bemis Lane (Tract 4) as a right-of-way donated to Baldwin County by James H. King and Linda King on July 17, 2020 (Instrument No. 1843953 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

**BN3**    Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0221319 - Bemis Lane (Tract 5)

[21-0243](#)

Take the following actions:

- 1) Accept 0.327 acres on Bemis Lane (Tract 5) as a right-of-way donated to Baldwin County by Steve W. Foley on July 16, 2020 (Instrument No. 1843957 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

**BN4**    Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0221319 - Bemis Lane (Tract 6)

[21-0244](#)

Take the following actions:

- 1) Accept 0.125 acres on Bemis Lane (Tract 6) as a right-of-way donated to Baldwin County by Michael R. Powell, II, and Farrah K. Powell on July 17, 2020 (Instrument No. 1843954 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

**BN5**    Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0221319 - Bemis Lane (Tract 7)

[21-0245](#)

Take the following actions:

- 1) Accept 0.025 acres on Bemis Lane (Tract 7) as a right-of-way donated to Baldwin County by Chris and Becky Mohler on July 17, 2020 (Instrument No. 1843955 of

Baldwin County Judge of Probate); and

2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

**BN6**    Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0220519 - Campbell Road (Tract 1)

[21-0240](#)

Take the following actions:

1) Accept 1.710 acres on Campbell Road (Tract 1) as a right-of-way donated to Baldwin County by Joseph Bernard Mullek and Betty G. Mullek on April 30, 2020 (Instrument No. 1825886 of Baldwin County Judge of Probate); and

2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

**BN7**    \*Fiscal Year 2021 Resurfacing Projects - Group 3 and Group 3RA - Request for Permission to Advertise

[21-0198](#)

Take the following actions:

1) Authorize the Purchasing Director to place a competitive bid for the Fiscal Year 2021 Resurfacing projects (Group 3 and Group 3RA) as the design plans are completed; and

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

**BN8**    Baldwin County Highway Department - Fiscal Year 2021 Equipment Purchase for Area 100

[21-0235](#)

Approve amending the Fiscal Year 2021 Equipment Purchase list for Area 100 to purchase a Ford F-550 Truck with a Knapheide service bed for \$74,880.00 instead of a Freightliner M2 106 Flatbed Fuel Truck for \$94,600.00.

**BN9**    Speed Limits on Various Roads

[21-0139](#)

Take the following actions:

1) Establish speed limits on the following roads:

Chatelaine Road from County Road 87 to End of Maintenance - 15 MPH

County Road 26 from County Road 95 to Breman Road - 35 MPH

Gap Weekly Road from Hoyle Bryars Road to start of Single Purpose - 25 MPH

Higbee Road from St Michael's High School to State Highway 181 - 35 MPH

Mannich Lane from Norris Lane to County Road 49 - 35 MPH

2) Adjust the speed limit on the following roads:

County Road 93 between Sunset Drive and Faircloth Road - Lower from 45 MPH to 35 MPH

Hill Road from County Road 54 to 0.23 miles south of County Road 54 - Lower from 45 MPH to 35 MPH

## **BQ PERSONNEL**

Wayne Dyess, County Administrator, said there are 13 Items under Personnel for the Commission's approval.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to approve Items BQ1-BQ13.

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 Communications and Information Systems (CIS) Department - Personnel Changes**

[21-0221](#)

Take the following actions:

1) Approve the lateral transfer of Nestor Garcia from the Communications Technician III position (PID #5147) grade 313 (\$24.273 per hour/\$50,487.84 annually) to fill the open Telephony Technician position (PID #5556), with no change in salary; and

2) Approve the transfer of Susan Kilby from the Customer Service Manager position (PID #5193) grade S314 (\$60,305.44 annually), in the Solid Waste Collections Administration Department (511/54801), to fill the open Business Manager position (PID #5557) at a grade S313 (\$57,290.17 annually), in the CIS Department (001/51965).

These actions will be effective no sooner than December 7, 2020.

### **BQ2 Finance and Accounting Department - Position Changes**

[21-0220](#)

Take the following actions:

1) Approve the employment of Kara Brooks to fill the open Accounts Payable Technician position (PID #5549) at a grade 308 (\$16.10 per hour/\$33,488.00 annually) to be effective no sooner than December 7, 2020; and

2) Approve the creation of an Accounting Manager position (PID #TBD) grade S319 (S319 range: \$63,676.00 - \$104,341.00 annually); and

3) Approve the updated organizational chart for the Finance and Accounting Department.

**BQ3** Highway Department (Foley) - Personnel Changes

**21-0222**

Take the following actions:

1) Approve the promotion of Reginald Ervin from the Operator Technician I position (PID #5434) at a grade 307 (\$15.487 per hour/\$32,212.96 annually) to fill the open Operator Technician II position (PID #1022) at a grade 308 (\$16.726 per hour/\$34,790.08 annually); and

2) Approve the employment of Clifton Curry to fill the open Operator Technician Trainee position (PID #5493) at a grade 304 (\$13.250 per hour/\$27,560.00 annually); and

3) Approve the employment of Zac Sadouski to fill the open Operator Technician Trainee position (PID #5495) at a grade 304 (\$13.250 per hour/\$27,560.00 annually).

These actions will be effective no sooner than December 7, 2020.

**BQ4** Highway Department (Silverhill) - Personnel Changes

**21-0228**

Take the following actions:

1) Approve the employment of William Graves to fill the open Operator Technician I position (PID #675) at a grade 307 (\$15.33 per hour/\$31,886.40 annually); and

2) Approve the employment of Joshua Nicholas to fill the open Operator Technician Trainee position (PID #5491) at a grade 304 (\$13.250 per hour/\$27,560.00 annually); and

3) Approve the employment of Blake Bertrand to fill the open Operator Technician Trainee position (PID #927) at a grade 304 (\$13.250 per hour/\$27,560.00 annually).

These actions will be effective no sooner than December 7, 2020.

**BQ5** Parks Department - Employment of One (1) Mechanic I Position

**21-0223**

Approve the employment of Kenneth Jones to fill the open Mechanic I position (PID #5524) grade 306 (\$14.60 per hour/\$30,368.00 annually) to will be effective no sooner than December 7, 2020.

**BQ6** Personnel Department - Correction of November 3, 2020, Regular Meeting Minutes [21-0219](#)

Correct for the record the minutes of the November 3, 2020, regular meeting, more specifically Item HA2 - Request for Leave of Absence - Baldwin Regional Area Transit System (BRATS) Department, staff's recommendation stated the request was from the Juvenile Detention Center (JDC) Director, it should instead state the request is from the BRATS Director.

**BQ7** Personnel Department - Employment of One (1) Benefits Specialist Position [21-0250](#)

Approve the employment of Alvinesia Woods to fill the open Benefits Specialist position (PID #5455) at a grade 307 (\$17.50 per hour/\$36,400.00 annually), with said salary due to experience, to be effective no sooner than December 7, 2020.

**BQ8** Planning and Zoning Department - Reclassification of Position [21-0253](#)

Reclassify the Office Administrator position (PID #1091) grade 307, to Planning Technician at a grade 309, to be effective no sooner than December 31, 2020.

**BQ9** Probate Office - Employment of Four (4) License Revenue Officer I Positions [21-0225](#)

Take the following actions:

- 1) Approve the employment of Laura Harmon to fill the open License Revenue Officer I position (PID #5565) at a grade 306 (\$14.60 per hour/\$30,368.00 annually); and
- 2) Approve the employment of Julie Parker to fill the open License Revenue Officer I position (PID #5566) at a grade 306 (\$14.60 per hour/\$30,368.00 annually); and
- 3) Approve the employment of Phyllis McIntosh to fill the open License Revenue Officer I position (PID #5567) at a grade 306 (\$14.60 per hour/\$30,368.00 annually); and
- 4) Approve the employment of Sara Reynolds to fill the open License Revenue Officer I position (PID #5568) at a grade 306 (\$14.60 per hour /\$30,368.00 annually).

These actions will be effective no sooner than December 7, 2020.

**BQ10** Revenue Commission - Position Changes [21-0226](#)

Take the following actions:

- 1) Approve the employment of Ashley Potter to fill the open GIS Coordinator position



(PID #5571) at a grade S313 (\$58,678.00 annually), with said salary due to experience, to be effective no sooner than December 7, 2020; and

2) Re-title the Personal Property Appraiser I position (PID #1038) to Personal Property Specialist, with no change in pay or grade; and

3) Approve the updated position descriptions for Personal Property Appraiser I, Personal Property Appraiser II, Personal Property Appraiser III, Real Property Current Use Analyst, and Real Property Sales Analyst.

**BQ11** Sales, Use, and License Tax Department - Promotion of Employee into Deputy License Inspector I Position

[21-0227](#)

Approve the promotion of Tracy King from the Revenue Clerk I position (PID #5446) at a grade 306 (\$14.75 per hour/\$30,680.00 annually) to fill the open Deputy License Inspector I position (PID #5532) at a grade 308 (\$16.10 per hour/\$33,488.00 annually) to be effective no sooner than December 7, 2020.

**BQ12** Solid Waste Department (Magnolia Landfill) - Position Change

[21-0239](#)

Take the following actions:

1) Approve the reclassification of the Landfill Gas Technician from grade 312 to grade 315; and

2) Approve the updated position description for the Landfill Gas Technician.

**BQ13** Stop Loss Proposal - Partners Managing General Underwriters/United States Fire Insurance Company

[21-0224](#)

Approve and authorize the Chairman to execute the Medical Stop Loss proposal with United States Fire Insurance Company/Partners Managing General Underwriters for specific and aggregate stop loss insurance to be effective January 1, 2021.

**BR PLANNING AND ZONING**

Wayne Dyess, County Administrator, said there is one Item under Planning and Zoning for the Commission's approval.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to approve Item BR1.

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** Re-organization of the Baldwin County Boards of Adjustment

[21-0251](#)

With regard to the Baldwin County Boards of Adjustment, take the following actions:

- 1) Approve the consolidation of the Boards of Adjustment for County Commission District #1, County Commission District #2, and County Commission District #3, into one board of Adjustment to be known as Board of Adjustment #1; and
- 2) Approve the renaming of the Board of Adjustment for County Commission District #4 to Board of Adjustment #2.

**C PRESENTATIONS**

**CA GENERAL**

**CA1** Resolution #2021-027 in Respect of the Life and Legacy of Mr. Bert Daniel "Danny" Blackmon, III

[21-0206](#)

The family of Mr. Bert Daniel "Danny" Blackmon appeared before the Commission to accept the resolution as presented by Commissioner Ball on behalf of the Commission.

After Wayne Dyess, County Administrator, read the resolution, Mr. Jonathan Blackmon thanked the Commission for this recognition and said his father was proud of Alabama's history.

Ms. Claudia Campbell, Mr. Richard Sheeley, Felisha Anderson, Archives Director, and the Commissioners commented on Mr. Blackmon's life and legacy.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to adopt Resolution #2021-027 in respect of the life and legacy of Mr. Bert Daniel "Danny" Blackmon, III and present the resolution to the family of Mr. Blackmon in sincere gratitude for his distinguished years of public service to the citizens of 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

**CA2** Baldwin Regional Area Transit System (BRATS) On Demand Software Presentation

[21-0214](#)

Wayne Dyess, County Administrator, said the presentation on the Baldwin Regional Area Transit System (BRATS) On-Demand Software has been postponed.

**CA3** Recognition of Employees Who Completed the Management Fundamentals Program

[21-0218](#)

Armondo Love, Employee Relations and Training Administrator, appeared before the Commission, and commented on the inaugural Management Fundamentals Program and recognized the following employees for their completion of the Program:

Dana Graham, Juvenile Detention Center  
Brittany Vaughn, Personnel Department  
Barbara Pate, Administration Department  
Kelly Childress, Council on Aging Department (not in attendance)  
Jason Kuehl, Communications and Information Systems (CIS) Department  
Mary Booth, Planning and Zoning Department

**D PUBLIC HEARINGS**

**DA ADMINISTRATION**

**DA1** \*Telepak Networks, Inc. d/b/a C Spire - Cable Television System Franchise Agreement

[21-0255](#)

Chairman Davis opened the public hearing at 9:18 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Davis closed the public hearing at 9:19 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to approve/authorize the provisions of Resolution #2011-085 of the Baldwin County Commission to be binding to Telepak Networks, Inc. d/b/a C Spire pursuant to Telepak Networks, Inc. d/b/a C Spire executing an instrument entitled "Acceptance of Terms of Resolution #2011-085 Adopted by the Baldwin County Commission Authorizing Telepak Networks, Inc. d/b/a C Spire to Provide Cable Television Services to Residents of Unincorporated Baldwin County."

This Agreement shall be for ten (10) years commencing upon its effective date on December 1, 2020, as last executed among the parties, and expiring on December 1, 2030, unless terminated in another manner as prescribed by said Agreement.

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

**DR PLANNING AND ZONING**

**DR1** \*Case No. Z-20040 - Gates VI, LLC Property Rezoning

[21-0232](#)

Wayne Dyess, County Administrator, said there is a request before the Commission to withdraw this application.

Vince Jackson, Development Review Planner, appeared before the Commission and provided background information on the subject property. Mr. Jackson said the applicants have asked to withdraw the request to rezone the subject property.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to approve the request to withdraw Case No. Z-20040, Gates VI, LLC Property, as it pertains to the rezoning of 5.39 acres, more or less, as located in Planning (Zoning) District 30.

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 Davis and Mr. Jackson commented on the application process if the applicant should bring the request back before the Commission to consider.

**DR2** Case No. TA-20002 - Amendments to Article 7 and Article 22 of the Baldwin County Zoning Ordinance

[21-0238](#)

Vince Jackson, Development Review Planner, appeared before the Commission and provided background information on the text amendments.

Chairman Davis opened the public hearing at 9:23 a.m. and asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Davis closed the public hearing at 9:23 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to adopt Resolution #2021-013, which approves Case TA-20002, as it pertains to amendments to Article 7 and Article 22 of the Baldwin County Zoning Ordinance, relating to off-street

parking requirements in the TR, Tourist Resort 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

## **E COMMITTEE REPORTS**

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

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

**21-0216**

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to pay bills totaling \$5,451,274.08 (five million, four hundred fifty-one thousand, two hundred seventy-four dollars and eight cents) with the exception Vendor #101, which is listed in the Baldwin County Accounts Payable Payments - December 1, 2020, for a revised total of \$5,450,834.03.

Of this amount, \$1,698,082.07 (one million, six hundred ninety-eight thousand, eighty-two dollars and seven cents) is payable to the Baldwin County Board of Education and \$108,045.65 (one hundred eight thousand, forty-five dollars and sixty-five 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

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to pay Vendor #101 in the amount of \$440.05.

Vendor #101: Davis, Joseph Lee III - \$440.05

The motion passed by the following vote:

**Aye:** 3 - James E. Ball, BillieJo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 0

**Abstain:** 1 - Joe Davis III

**EA2** Notification of Interim Payments Approved by Clerk/Treasurer as Allowed Under Policy 8.1 [21-0215](#)

Wayne Dyess, County Administrator, informed the Commission that the Baldwin County Commission Interim Payments - December 1, 2020, made by the Clerk/Treasurer, totaling \$3,045,172.87 (three million, forty-five thousand, one hundred seventy-two dollars and eighty-seven cents) are a part of the record.

## **F DISCUSSION ITEMS**

### **FA ADMINISTRATION**

**FA1** Baldwin County Environmental Advisory Board [21-0217](#)

Wayne Dyess, County Administrator, said the Commission desires to reinvigorate the Baldwin County Environmental Advisory Board. Staff will present information on the history of the board and the scope and purpose of the board to the Commission in the coming weeks.

Commissioner Gruber commented on the need to re-establish the board and the list the Advisory Board had previously created on the 25 worst roads in Baldwin County. Commissioner Gruber asked Joey Nunnally, County Engineer, to give an update on those roads.

Mr. Nunnally appeared before the Commission and gave an update on the completion of the list.

Chairman Davis commented on Congressional funds for "soft money projects" that could be available for the County and encouraged the public to inform the Commission of anyone who wants to be involved in this project.

### **FQ PERSONNEL**

**FQ1** Discussion of Families First Coronavirus Response Act (FFCRA) Sick Leave due to COVID-19 [21-0231](#)

Wayne Dyess, County Administrator, said this Item was discussed during the work session and will be brought forth as an Addendum later in the meeting.

No action taken.

## **G COMMISSIONER REQUESTS**

### **H ADDENDA**

**HA1** Personnel Department - Extension of FFCRA Sick Leave due to COVID-19 Pandemic [21-0262](#)

Deidra Hanak, Personnel Director, appeared before the Commission and commented on the Families First Coronavirus Response Act (FFCRA) sick leave due to COVID-19.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to temporarily extend the provision of the 80 hours of paid sick leave, initially mandated through December 31, 2020, due to the Families First Coronavirus Response Act (FFCRA), for employees hired after December 1, 2020, until March 31, 2021.

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 Davis and Ms. Hanak commented this will only affect new employees with no sick time available to take.

## **I ADMINISTRATIVE REPORT**

Wayne Dyess, County Administrator, thanked the Personnel Department for its hard work in offering various classes to employees and for adapting to virtual training during the COVID-19 pandemic.

## **J COUNTY ATTORNEY'S REPORT**

Brad Hicks, County Attorney, said there are multiple items to discuss during an executive session.

## **K PUBLIC COMMENTS**

## **L PRESS QUESTIONS**

## **M COMMISSIONER COMMENTS**

The Commissioners provided their closing comments.

## **N ADJOURNMENT**

Brad Hicks, County Attorney, recommended the Commission enter into an executive session to discuss with their attorney 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.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to adjourn the December 1, 2020, Baldwin County Commission meeting into an executive session at 9:38 a.m. to discuss 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 second and before the vote, Mr. Hicks said he is an attorney licensed to practice law in the State of Alabama and this exception is applicable to the planned discussion.

After the vote, Chairman Davis said the December 1, 2020, Baldwin County Commission meeting will adjourn into an executive session at 9:38 a.m.