

# Baldwin County Commission

**Baldwin County Commission Regular  
Meeting Minutes  
Tuesday, January 19, 2021  
10:00 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:** 3 - Commissioner Joe Davis III, Commissioner BillieJo Underwood, and  
Commissioner Charles F. Gruber

**Absent:** 1 - Commissioner James E. Ball

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

The Chairman called the meeting to order at 10:06 a.m. After the prayer led by Reverend Marty Hamilton, Pastor of First United Methodist Church, Bay Minette, and the Pledge of Allegiance led by Commissioner Charles F. Gruber, the Commission transacted the following business to-wit:

### **A ADOPTION OF MINUTES**

January 5, 2021, Regular Meeting

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to approve the minutes of the January 5, 2021, Regular Meeting.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - James E. Ball

**Abstain:** 0

### **B ACTION ITEMS**

#### **BA ADMINISTRATION**

Wayne Dyess, County Administrator, said there are two items under

Administration the Commission will need to vote on separately, BA1 and BA10.

**BA1** 3rd Annual Fort Morgan Mardi Gras Parade 2021

[21-0363](#)

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Charles F. Gruber, to deny the requested route for the 3rd Annual Fort Morgan Mardi Gras Parade 2021.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - James E. Ball

**Abstain:** 0

**BA10** Resolution #2021-041 - Removing the Monetary Limitation on Compensation under Alabama Code Section 40-6-3, Supernumerary Tax Collectors, Tax Assessors, License Commissioners, Etc.

[21-0373](#)

Wayne Dyess, County Administrator, said this Item was discussed during the work session.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to deny the request to adopt Resolution #2021-041, removing the monetary limitation on compensation related to Supernumerary Tax Collectors, Tax Assessors, License Commissioners, etc. authorized under Ala. Code Section 40-6-3.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - James E. Ball

**Abstain:** 0

**BA ADMINISTRATION**

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

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to approve Items BA2 - BA9.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - James E. Ball

**Abstain:** 0

Take the following actions:

1) RESCIND the action taken by the Baldwin County Commission during its September 1, 2020, Regular Meeting, more specifically, only the portion of the staff recommendation of Agenda item BA2, which authorized the placement of the Legislative Act No. 2015-420 annexing property within the corporate limits of the City of Spanish Fort into the minutes of the September 1, 2020, Baldwin County Commission regular meeting and authorized the County Commission to notify various departments/organizations regarding the same.

2) Notify the following departments/organizations:

Baldwin County Commission Departments:

Baldwin County Commission

Baldwin County Building Inspection Department

Communications/Information Systems Department

Baldwin County Environmental Management/Solid Waste

Baldwin County Highway Department

Baldwin County 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

**BA3** Sale of Vehicle on GovDeals.com by the Baldwin County Administration  
Department

**21-0366**

Take the following actions:

1) Approve the sale of the following vehicle on GovDeals.com through the Clerk/Treasurer:

2007 Mercury Grand Marquis VIN #2MEFM75V77X620804 (88,213 Miles)

2) Authorize funds from the sale of the vehicle to be deposited into the General Fund.

**BA4** Letter to Alabama Department of Economic and Community Affairs  
(ADECA) - Volunteer Fire Departments/Fire Departments/Search and  
Rescue Units

**21-0360**

Authorize the Chairman to execute a letter to the Alabama Department of Economic and Community Affairs (ADECA) to make eligible the provision of surplus equipment from the State of Alabama to Baldwin County's volunteer fire departments, fire departments and search and rescue units.

**BA5**    DSD Services Group, LLC - Consulting in the Form of Specialized Professional Services Contract

[21-0319](#)

Approve a twelve (12) month extension of the Professional Services Contract between the Baldwin County Commission and DSD Services Group, LLC, a limited liability corporation organized and existing under the laws of the State of Alabama and doing business as "DSD Services Group," for consulting support in the form of Specialized Professional Services related specifically to the RESTORE Act and related Deepwater Horizon Oil Spill Restoration Activities.

The term of this Agreement Extension shall commence on February 18, 2021, and shall continue thereafter for twelve (12) months, terminating on February 18, 2022. This Agreement shall be subject to cancellation or termination by either party, with or without cause, upon thirty (30) days written notice to the other.

**BA6**    Federal Prisoners Housing Per Diem Sharing Agreement between the Baldwin County Sheriff and the Baldwin County Commission

[21-0385](#)

Take the following actions:

1) RESCIND action taken by the Baldwin County Commission on January 5, 2021, (more specifically, Agenda Item BA1) which approved as follows:

"Approve an Amendment to the Agreement between the Baldwin County Commission and the Baldwin County Sheriff wherein, the Sheriff of Baldwin County and the Baldwin County Commission mutually agree to the sharing of \$62.00 per diem per Federal prisoner as provided in the contract from the U.S. Marshals Service in the following manner:

- 1) \$24.80 per day per Federal prisoner to the Baldwin County Commission
- 2) \$37.20 per day per Federal prisoner to the Sheriff

The Detention Services Intergovernmental Agreement (IGA) #03-99-0149 between the U.S. Department of Justice United States Marshals Service Prisoner Operations Division and the Baldwin County Correctional Center became effective November 1, 2020, and remains in effect until rates change or either party requests renegotiation."

2) APPROVE an Amendment to the Agreement between the Baldwin County Commission and the Baldwin County Sheriff wherein, the Sheriff of Baldwin County and the Baldwin County Commission mutually agree to the sharing of \$62.00 per diem per

Federal prisoner as provided in the contract from the U.S. Marshals Service in the following manner:

- 1) \$24.80 per day per Federal prisoner to the Sheriff (40%)
- 2) \$37.20 per day per Federal prisoner to the Baldwin County Commission (60%)

The Detention Services Intergovernmental Agreement (IGA) #03-99-0149 between the U.S. Department of Justice United States Marshals Service Prisoner Operations Division and the Baldwin County Correctional Center became effective November 1, 2020, and remains in effect until rates change or either party requests renegotiation.

**BA7** Fund Allocation Application to the U.S. Department of the Treasury for  
Emergency Rental Assistance

[21-0410](#)

Confirm, ratify and approve the Agreement for Emergency Rental Assistance between the U.S. Department of the Treasury and the Baldwin County Commission, which was executed by the County Administrator on January 12, 2021, related to funds allocated for rental assistance for Baldwin County citizens, and make the Agreement a part of the January 19, 2021, Baldwin County Commission Regular Meeting minutes.

The funds under this Agreement (award) shall remain available only through December 31, 2021, unless the recipient requests and receives an extension from the Treasury for an extension up to ninety (90) days.

**BA8** Considerations Related to Employment Contracts - Baldwin County  
Legislative Delegation Constituent Services Director and Legislative  
Assistants

[21-0177](#)

As Requested by the Baldwin County Legislative Delegation, take the following actions:

- 1) Authorize and approve the Employment Contract between the Baldwin County Commission, the Baldwin County Legislative Delegation and Cliff McCollum, applicable to the position of Legislative Delegation Constituent Services Director, subject to the terms set forth in the Employment Contract. This contract will commence on February 2, 2021, and expire on February 2, 2022; and
- 2) Authorize and approve the Employment Contract between the Baldwin County Commission, the Baldwin County Legislative Delegation and Jennifer Hutto, applicable to the position of Legislative Assistant, subject to the terms set forth in the Employment Contract. This contract will commence on February 2, 2021, and expire on February 2, 2022; and
- 3) Authorize and approve the Employment Contract between the Baldwin County Commission, the Baldwin County Legislative Delegation and Brynn Amey, applicable to the position of Legislative Assistant, subject to the terms set forth in the Employment

Contract. This contract will commence on February 2, 2021, and expire on February 2, 2022.

These contracts shall supersede and make null and void any previous employment contracts between the Baldwin County Commission, the Baldwin County Legislative Delegation and Cliff McCollum, Jennifer Hutto and Brynn Amey.

**BA9** Appointed Contract Employees - Building Official - Considerations Related to Employment Contract

[21-0365](#)

Related to the Employment Contracts between the Baldwin County Commission and the Appointed Contract Employees, authorize and approve the execution of the First Amendment to Employment Contract between the Baldwin County Commission and Eddie D. Harper applicable to the position of Building Official, which increases the annual compensation to \$95,000.00.

This First Amendment will be effective on January 19, 2021.

**BE BUDGET/PURCHASING**

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

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to approve Items BE1 - BE8.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - James E. Ball

**Abstain:** 0

**BE1** 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 the Baldwin County Commission

[21-0369](#)

Take the following actions:

- 1) Reject Bid #WG21-02 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 bidder does not have an Alabama General Contractor's License and did not submit a bid guarantee as is required by state law; 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 #WG21-03 - Provision of Microcomputer Systems and Peripheral Equipment for the Baldwin County Commission

[21-0368](#)

Due to the identification of a typographical error listed in Bid #WG21-03 Award, take the following actions:

- 1) RESCIND the action taken by the Baldwin County Commission, during its January 5, 2021, regular meeting related to Agenda Item BE1 which awarded the "Group 1-1: Servers" portion of competitive Bid #WG21-03 to SHI International Corporation; and
- 2) AWARD "Group 1-1: Servers" of competitive Bid #WG21-03 to the lowest bidder, Technical & Scientific Application, Inc. dba TSA, Inc.

**BE3** Competitive Bid #WG21-04 - Provision of Bag Ice for the Baldwin County Commission

[21-0376](#)

Authorize the Purchasing Director to re-bid for the Provision of Bag Ice and 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 #WG21-05 - Provision of Crushed Aggregates for the Baldwin County Commission

[21-0322](#)

Award Bid #WG21-05 for the provision of crushed aggregates as per the Award Listings for each category of headings to Stephens Trucking Company, Inc., Vulcan Materials Company, Inc., Martin Marietta Materials, Inc., and C.R. Pate Logging, Inc.

**BE5** Competitive Bid #WG21-06 - Provision of Fence Installation and Repair on County Right-of-Ways for the Baldwin County Commission

[21-0344](#)

Award Bid# WG21-06 for the provision of fence installation and repair on County right-of-ways to the lowest bidder, Warriner Construction as per the attached Award Listing and authorize the Chairman to execute the Contract. (Contract is effective immediately upon the same date as its full execution for twelve (12) months).

**BE6** Competitive Bid #WG21-07 - Provision of Pavement Markers and Bituminous Adhesive for the Baldwin County Commission

[21-0372](#)

Take the following actions:

- 1) Reject the bids received and authorize the Purchasing Director to re-bid for the provision of pavement markers and bituminous adhesive because both bids received contained errors; 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.

**BE7**    Request of Proposals (RFP) for Unify Telecommunications Maintenance and Support Services for the Baldwin County Commission

[21-0346](#)

Approve the Request for Proposals (RFP) for Unify Telecommunications Maintenance and Support Services and authorize the Purchasing Director to advertise the RFP.

**BE8**    Resolution #2021-040 - Severe Weather Preparedness Tax Holiday 2021

[21-0332](#)

Adopt Resolution #2021-040 of the Baldwin County Commission which exempts items in conformity with the provisions in §40-23-230 through §40-23-233 Code of Alabama (1975) (Act No. 2012-256), from all County Sales and Use Taxes with said exemption commencing at 12:01 a.m. on the last Friday in February 2021, (February 26, 2021) and expiring at midnight on the following Sunday in February 2021 (February 28, 2021).

**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 Charles F. Gruber, to approve Item BF1.

The motion passed by the following vote:

**Aye:**            3 -    Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:**            0

**Absent:**        1 -    James E. Ball

**Abstain:**      0

**BF1**    Resolution #2021-043 - Amending Resolution #2017-036 related to Naming Roads/Streets - Revision of BCC Policy #4.3 - Road Name Policy

[21-0402](#)

Take the following actions:

1) Adopt Resolution #2021-043, which amends Resolution #2017-036, for the purpose of transferring approval authority for the naming of streets to the Baldwin County Emergency Communication District (E911) and the Baldwin County Highway Department; and

2) Adopt the revised Baldwin County Commission Policy #4.3 - Road Name Policy and incorporate the revised policy into the Baldwin County Policies and Procedures Book.



## **BH COMMUNICATIONS/INFORMATION SYSTEMS (CIS)**

Wayne Dyess, County Administrator, said there is one Item under Communications/Information Systems (CIS) for the Commission's approval.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Charles F. Gruber, to approve Item BH1.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 1 - James E. Ball  
**Abstain:** 0

### **BH1 Harbor Communications Service Agreement - Robertsdale Location**

**21-0334**

Approve and authorize the Chairman to execute a Service Agreement between the Baldwin County Commission and Harbor Communications for symmetric fiber services.

The Service Agreement shall commence on the first day following the date on which the Company notifies the Customer that the requested service or facility is available for use and shall be effective for a 36-month initial term with a monthly recurring discounted rate of \$300.00 per month.

Upon expiration of the Initial Term, the Agreement shall automatically renew on the same terms and conditions and at the 12-month pricing for successive one year terms (each one year term, a "Renewal Term") unless either party notifies the other of its intention to terminate the Agreement at the end of the Initial Term or Renewal Term or unless a subsequent Agreement is entered in to.

## **BJ ELECTED OFFICIALS**

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

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to approve Items BJ1 and BJ2.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 1 - James E. Ball  
**Abstain:** 0

### **BJ1 Resolution #2021-038 - Fixing the Sum of the Bond and Setting Compensation for Revenue Commissioner Teddy J. Faust, Jr. (Term**

**21-0330**

Pursuant to the authority found at Section 45-2-241 of the Code of Alabama (1975) and related to the Revenue Commissioner of Baldwin County, Alabama, taking office on February 2, 2021, (the Honorable Teddy J. Faust, Jr.), adopt Resolution #2021-038 of the Baldwin County Commission which authorizes:

- 1) The Bond of the Revenue Commissioner of Baldwin County, Alabama to be fixed in the sum of \$750,000 with the Clerk/Treasurer of Baldwin County instructed to pay the cost of said bond out of the General Fund of Baldwin County; and
- 2) The compensation of the Revenue Commissioner of Baldwin County, Alabama, to be set in the exact amount of \$110,000 annually to be paid in monthly installments out of the General Fund of Baldwin County.

**BJ2**    Sale of Vehicles on GovDeals.com by the Baldwin County Revenue Commission Department

[21-0300](#)

Authorize the sale of the following four (4) vehicles from the Baldwin County Revenue Commission with the revenue from the sale of these vehicles to be deposited into Reappraisal Funds:

- 2010 Ford Escape - VIN #1FMCU0D75AKC89841 (AKA #7)
- 2010 Ford Escape - VIN #1FMCU0D79AKC89843 (AKA #8)
- 2010 Ford Escape - VIN #1FMCU0D77AKC89842 (AKA #9)
- 2011 Ford Escape - VIN #1FMCU0D71BKB54003 (AKA #11)

**BK**    **EMERGENCY MANAGEMENT AGENCY (EMA)**

Wayne Dyess, County Administrator, said there are three Items under Emergency Management Agency (EMA) for the Commission's approval to be addressed individually as discussed during the work session.

Danon Smith, Planning and Grants Coordinator, appeared before the Commission to announce that Homeland Security Sub-Recipient Grants have been approved for the City of Fairhope Police Department, Magnolia Springs Volunteer Fire Department, and the City of Spanish Fort Police Department.

**BK1**    Fiscal Year 2020 Homeland Security Grant Agreement: Fairhope Police Department \$50,000 for Crowded Place Protection Equipment

[21-0354](#)

Mayor Sherry Sullivan, City of Fairhope, appeared before the Commission to thank the Commission and Baldwin County EMA for their partnership on this grant.

Take the following actions:

1) Approve and execute the Cooperative Agreement State Homeland Security Grant Program between the Alabama Law Enforcement Agency (ALEA) and Baldwin County Commission (Baldwin County Emergency Management Agency) as the pass-through entity for the purchase of soft target/crowded place protection equipment/barriers for the Fairhope Police Department, per their budget detail worksheet submitted with their grant application. The terms of the agreement shall commence on November 1, 2020, and end on October 21, 2021; and

2) Approve and execute the Sub-Recipient Funding Agreement between the Baldwin County Commission and the City of Fairhope (Police Department).

3) Authorize the Chairman to execute any other documents related to the Cooperative Agreement and the Sub-Recipient Funding Agreement.

**BK2** Fiscal Year 2020 Homeland Security Grant Agreement: Magnolia Springs Volunteer Fire Department \$49,937 for Communications Equipment

[21-0352](#)

Chief Kaylan Driskell, Magnolia Springs Volunteer Fire Department (VFD) appeared before the Commission to thank the Commission and Baldwin County EMA for their partnership on this grant.

Take the following actions:

1) Approve and execute the Cooperative Agreement State Homeland Security Grant Program between the Alabama Law Enforcement Agency (ALEA) and Baldwin County Commission (Baldwin County Emergency Management Agency) as the pass-through entity for the purchase of mobile radios for the Magnolia Springs Volunteer Fire Department, per their budget detail worksheet submitted with their grant application. The terms of the agreement shall commence on November 1, 2020, and end on October 21, 2021; and

2) Approve and execute the Sub-Recipient Funding Agreement between the Baldwin County Commission and the Magnolia Springs Volunteer Fire Department.

3) Authorize the Chairman to execute any other documents related to the Cooperative Agreement and the Sub-Recipient Funding Agreement.

**BK3** Fiscal Year 2020 Homeland Security Grant Agreement: Spanish Fort Police Department \$49,969 for Crowded Place Protection Equipment

[21-0353](#)

Mayor Mike McMillan, City of Spanish Fort and Chief John Barber, Spanish Fort Police Department, appeared before the Commission to thank the Commission and Baldwin County EMA for their partnership on this grant.

Take the following actions:

1) Approve and execute the Cooperative Agreement State Homeland Security Grant

Program between the Alabama Law Enforcement Agency (ALEA) and Baldwin County Commission (Baldwin County Emergency Management Agency) as the pass-through entity for the purchase of expandable soft target/crowded place equipment for the Spanish Fort Police Department, per their budget detail worksheet submitted with their grant application. The terms of the agreement shall commence on November 1, 2020, and end on October 21, 2021; and

- 2) Approve and execute the Sub-Recipient Funding Agreement between the Baldwin County Commission and the City of Spanish Fort (Police Department).
- 3) Authorize the Chairman to execute any other documents related to the Cooperative Agreement and the Sub-Recipient Agreement.

Motion by Commissioner BillieJo Underwood, and seconded by Commissioner Charles F. Gruber, to approve Items BK1 - BK3.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 1 - James E. Ball  
**Abstain:** 0

**BL ENVIRONMENTAL MANAGEMENT**

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

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to approve Item BL1.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber  
**Nay:** 0  
**Absent:** 1 - James E. Ball  
**Abstain:** 0

**BL1** J.M. Wood Auction Company, Inc. - Equipment Auction for the Solid Waste Department

[21-0337](#)

Take the following action:

Approve and authorize the Chairman to execute the List of Solid Waste Department equipment for sale by auction at the J.M. Wood Auction facility in Montgomery, Alabama, on March 16-20, 2021.

## **BN HIGHWAY**

Wayne Dyess, County Administrator, said there are 15 Items under Highway for the Commission's approval.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Charles F. Gruber, to approve Items BN1 - BN15.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - James E. Ball

**Abstain:** 0

**BN1** Intergovernmental Service Agreement between Baldwin County and the Town of Magnolia Springs for Installation of Signs on Magnolia Springs Highway inside Magnolia Springs Town Limits

[21-0361](#)

Approve an Intergovernmental Service Agreement between Baldwin County and the Town of Magnolia Springs for the Baldwin County Highway Department to perform the following for an estimated cost of \$1,119.52:

- 1) Install speed limit and advanced warning signage on Magnolia Springs Highway inside Magnolia Springs town limits; and
- 2) Install advance warning signage on Magnolia Springs Highway and Old Marlow Road on County maintained portions of said roads; and
- 3) Reduce the speed limit on Magnolia Springs Highway north of County Road 26 from 35 MPH to 30 MPH for consistency with and at the request of the Town of Magnolia Springs; and
- 4) Reduce the speed limit on Old Marlow Road south of US Highway 98 from 35 MPH to 25 MPH for consistency with and at the request of the Town of Magnolia Springs.

The Town of Magnolia Springs will be invoiced for actual costs upon completion of the project. Actual costs will include materials, labor, and equipment for work performed on County maintained roads, and only labor and equipment for work performed on Town maintained roads. The Town of Magnolia Springs will provide material for work performed on Town maintained roads.

(This Agreement shall be effective upon full execution and terminate after twelve (12) months, unless terminated by either party upon delivery of a thirty (30) day notice of termination.)

**BN2** Maintenance on Oyster Bay Road and Various Roads on Plash Island

[21-0164](#)

Approve resuming maintenance of the following roads on and near Plash Island in the City of Gulf Shores and adding to the Baldwin County Maintained Road List:

Bon Bay Drive - 0.65 miles

County Road 6 Extension (including bridge) - 0.60 miles

Oyster Bay Road - 0.52 miles

Plash Road - 0.54 miles

The Loop - 0.23 miles

Todd Lane - 0.17 miles

White Lane - 0.26 miles

**BN3** Sale of Vehicles on GovDeals.com by the Highway Department

[21-0378](#)

Approve the sale of surplus vehicles on the attached list by the Highway Department through the Clerk/Treasurer via GovDeals.com.

**BN4** Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0221319 - Bemis Lane (Tract 1)

[21-0389](#)

Take the following actions:

- 1) Accept 0.238 acres on Bemis Lane (Tract 1) as a right-of-way donated to Baldwin County by Debra Russell and Laurie Anders on October 5, 2020 (Instrument No. 1863261 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 2)

[21-0390](#)

Take the following actions:

- 1) Accept 0.214 acres on Bemis Lane (Tract 2) as a right-of-way donated to Baldwin County by Michael G. Hulak on December 30, 2020 (Instrument No. 1880597 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. 0203716 - Bengston Road (Tract 1)

[21-0391](#)

Take the following actions:

1) Accept 0.083 acres on Bengston Road (Tract 1) as a right-of-way donated to Baldwin County by John Collins on December 29, 2020 (Instrument No. 1880595 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**    Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0203716 - Bengston Road (Tract 12)

[21-0392](#)

Take the following actions:

1) Accept 0.073 acres on Bengston Road (Tract 12) as a right-of-way donated to Baldwin County by Ira Diron Blair on December 31, 2020 (Instrument No. 1880887 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.

**BN8**    Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0204416 - Brantley Lane (Tract 2)

[21-0393](#)

Take the following actions:

1) Accept 0.034 acres on Brantley Lane (Tract 2) as a right-of-way donated to Baldwin County by the Estate of Deidre White Lee on June 17, 2020 (Instrument No. 1836949 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.

**BN9**    Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0204416 - Brantley Lane (Tract 3)

[21-0394](#)

Take the following actions:

1) Accept 0.339 acres on Brantley Lane (Tract 3) as a right-of-way donated to Baldwin County by J.H. Weeks and Janet Weeks on July 9, 2020 (Instrument No. 1841682 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.

**BN10**    Execution of IRS Form 8283 for a Donated Right-of-Way on Project No.

[21-0395](#)

0204216 - George Younce Road (Tract 15)

Take the following actions:

- 1) Accept 0.036 acres on George Younce Road (Tract 15) as a right-of-way donated to Baldwin County by the Estate of Rosie L. Hall on July 23, 2020 (Instrument No. 1849543 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.

**BN11** Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0203616 - Kings Landing Road (Tract 2)

[21-0396](#)

Take the following actions:

- 1) Accept 0.095 acres on Kings Landing Road (Tract 2) as a right-of-way donated to Baldwin County by William M. Thompson and Robert B. Thompson on May 8, 2020 (Instrument No. 1827714 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.

**BN12** Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0203616 - Kings Landing Road (Tract 4)

[21-0397](#)

Take the following actions:

- 1) Accept 0.405 acres on Kings Landing Road (Tract 4) as a right-of-way donated to Baldwin County by Deborah O. Falk (undivided  $\frac{1}{2}$  interest), Alison & William Schwann (undivided  $\frac{1}{4}$  interest), and Nancy Laura Nelson and Ray Nelson (undivided  $\frac{1}{4}$  interest) on March 12, 2020 (Instrument No. 1822124 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.

**BN13** Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0211919 - Mannich Lane (Tract 1)

[21-0398](#)

Take the following actions:

- 1) Accept 0.323 acres on Mannich Lane (Tract 1) as a right-of-way donated to Baldwin County by Susan S. Perkins on November 6, 2020 (Instrument No. 1869703 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.

**BN14** Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0211919 - Mannich Lane (Tract 2)

[21-0399](#)

Take the following actions:

1) Accept 0.141 acres on Mannich Lane (Tract 2) as a right-of-way donated to Baldwin County by Otis L. Gatlin, Victoria G. Young, James M. Gatlin, John S. Gatlin, Jr. and David Gatlin on November 17, 2020 (Instrument No. 1871483 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.

**BN15** Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0211919 - Mannich Lane (Tract 3)

[21-0400](#)

Take the following actions:

1) Accept 0.508 acres on Mannich Lane (Tract 3) as a right-of-way donated to Baldwin County by Carl Johnson, Trustee of Ingwald O. Mannich Trust Estate on October 20, 2020 (Instrument No. 1865349 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.

**BQ PERSONNEL**

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

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Charles F. Gruber, to approve Items BQ1 - BQ7.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - James E. Ball

**Abstain:** 0

**BQ1** Council on Aging Department - Employment of One (1) Part-Time Office Assistant IV Position

[21-0381](#)

Approve the employment of Kaileigh Bodle to fill the open part-time Office Assistant IV position (PID #PT63) at a grade 305 (\$13.91 per hour) to be effective no sooner than January 25, 2021.

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

**21-0404**

Take the following actions:

- 1) Approve the promotion of Christie Davis from the Senior Budget Accountant position (PID #5327) grade S317 (\$74,279.19 annually) in the Budgeting and Purchasing Department (51725) to fill the open Accounting Manager position (PID #5591) at a grade S319 (\$84,000.00 annually), with said salary due to specialized experience, in the Finance and Accounting Department (51700) to be effective no sooner than February 1, 2021; and
- 2) Abolish the Accounting Manager position (PID #5461), grade S319 (grade S319 range: \$63,676.00 - \$104,341.00 annually); and
- 3) Create a Senior Accountant position (PID #TBD), grade S317 (grade S317 range: \$56,410.00 - \$92,439.00 annually); and
- 4) Approve the updated organizational chart for the Finance and Accounting Department.

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

**21-0383**

Take the following actions:

- 1) Approve the employment of Joshua Eldridge to fill the open Operator Technician Trainee position (PID #5495) at a grade 304 (\$13.250 per hour/\$27,560.00 annually); and
- 2) Approve the employment of Robert Barnett to fill the open Operator Technician Trainee position (PID #5494) at a grade 304 (\$13.250 per hour/\$27,560.00 annually).

These actions will be effective no sooner than January 25, 2021.

**BQ4** Highway Department (Construction) - Creation of Position

**21-0386**

Take the following actions:

- 1) Approve the creation of a part-time Bridge Inspector (PID #TBD) at grade 312 (grade 312 range: \$20.130 - \$32.990 per hour) in the Highway Department - Construction Section (53120); and

- 2) Approve the position description for Bridge Inspector (part-time); and
- 3) Approve the updated organizational chart for the Highway Department (Construction Section).

**BQ5**    Probate Office - Employment of One (1) License Revenue Officer I Position

[21-0382](#)

Approve the employment of Lindsey Sellers to fill the open License Revenue Officer I position (PID #5567) at a grade 306 (\$14.60 per hour/\$30,368.00 annually) to be effective no sooner than January 25, 2021.

**BQ6**    Revenue Commission (Personal Property) - Personnel Changes

[21-0384](#)

Take the following actions:

- 1) Approve the employment of Clarissa Stewart to fill the open Personal Property Support Technician I position (PID #5412) at a grade 305 (\$13.910 per hour/\$28,932.80 annually) to be effective no sooner than January 25, 2021; and
- 2) Approve the employment of William Steward to fill the open Personal Property Support Technician I position (PID #5593) at a grade 305 (\$13.910 per hour/\$28,932.80 annually) to be effective no sooner than January 25, 2021; and
- 3) Approve the voluntary demotion of Abby Brown from the Office Manager (PID #5352) grade 306 (\$14.75 per hour/\$30,680.00 annually) in the Animal Shelter Department (109/55410) to fill the open Personal Property Appraiser Trainee position (PID #5592) at a grade 305 (\$14.013 per hour/\$29,147.04 annually) in the Revenue/Re-Appraisal Department (120/51810) to be effective no sooner than February 1, 2021.

**BQ7**    Association of County Commissions of Alabama (ACCA) Liability Self Insurance, Property and Content, Inland Marine/Equipment and Auto/Vehicle Insurance Coverage-Continuance of Coverage

[21-0403](#)

Take the following actions:

- 1) Authorize payment to the Association of County Commissions of Alabama (ACCA) Liability Self Insurance Fund (CRS, Inc.) in the amount of \$873,974.34 from the Baldwin County Fiscal Year 2020-2021 budget line items various department accounts #5275, related to the continued provision of certain liability insurance coverage to the Baldwin County Commission and for the period of January 1, 2021, to January 1, 2022: and
- 2) Approve the January 1, 2021, through January 1, 2022, annual premium contribution payments for Property and Content including towers with Associations of County Commission of Alabama (ACCA) standard deductible \$10,000.00/2% named storm in the

amount of \$551,011.63; and

3) Approve the January 1, 2021, through January 1, 2022, Inland Marine/Equipment Association of County Commission of Alabama (ACCA) - (\$5,000.00/\$10,000.00 deductible) - \$159,912.16; and

4) Approve the January 1, 2021, through January 1, 2022, Automobile/vehicle with Association of County Commission of Alabama (ACCA) Comprehensive and Collision- (\$40,000.00 deductible collision) (\$5,000.00 deductible comprehensive) - \$119,869.61; and

5) Approve the January 1, 2021, through January 1, 2022, Canine with Association of County Commission of Alabama (ACCA)(Deductible \$1,000.00) - \$1,755.62; and

6) Authorize Chairman to execute the corresponding declarations page for the period of January 1, 2021, through January 1, 2022; and

7) Authorize the Clerk/Treasurer to make a payment to the Association of County Commissions of Alabama (ACCA) Liability Self Insurance Fund (CRS, Inc.) in the amount of \$1,706,523.36.

## **C PRESENTATIONS**

## **D PUBLIC HEARINGS**

### **DR PLANNING AND ZONING**

#### **DR1 Case No. Z-20044 - Dan & Dan LLC Property Rezoning**

**21-0388**

Chairman Davis opened the public hearing at 10:19 a.m. and asked if there is anyone present who wishes to speak.

Celena Boykin, Senior Planner, appeared before the Commission and provided background information on the subject property.

There being no further requests to address the Commission, Chairman Davis closed the public hearing at 10:20 a.m.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Charles F. Gruber, to adopt Resolution #2021-031, which approves Case No. Z-20044, Dan & Dan LLC Property, as it pertains to the rezoning of 3 acres, more or less, as located in Planning (Zoning) District 22 from RA, Rural Agricultural District, to B-3, General Business District.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - James E. Ball

**Abstain:** 0

**DR2** Case No. Z-20045 - Parnell Development LLC Property Rezoning

**21-0380**

Chairman Davis opened the public hearing at 10:21 a.m. and asked if there is anyone present who wishes to speak.

Celena Boykin, Senior Planner, appeared before the Commission and provided background information on the subject property.

There being no further requests to address the Commission, Chairman Davis closed the public hearing at 10:22 a.m.

The Commission, Wayne Dyess, County Administrator, and Ms. Boykin discussed the feasibility of the preservation of the oak trees on the property.

Mr. Les Parnell, the property owner, appeared before the Commission and explained the oak trees that were removed were due to the required location of the entrance as dictated by the Alabama Department of Transportation (ALDOT).

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to adopt Resolution #2021-032, which approves Case No. Z-20045, Parnell Development LLC Property, as it pertains to the rezoning of 1 acre, more or less, as located in Planning (Zoning) District 4, from RSF-1, Single Family District, to RR, Rural District.

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - James E. Ball

**Abstain:** 0

**E COMMITTEE REPORTS**

**EA FINANCE/ADMINISTRATION DIVISION**

**EA1** Payment of Bills

**21-0370**

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Charles F. Gruber, to pay bills totaling \$21,636,042.37 (twenty-one million, six hundred thirty-six thousand, forty-two dollars and thirty-seven cents).

Of this amount, \$3,870,626.96 (three million, eight hundred seventy thousand, six hundred twenty-six dollars and ninety-six cents) is payable to the Baldwin County Board of Education and 241,460.72 (two hundred forty-one thousand, four hundred sixty dollars and seventy-two 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:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - James E. Ball

**Abstain:** 0

**EA2** Notification of Interim Payments Approved by Clerk/Treasurer as Allowed Under Policy 8.1 [21-0371](#)

Wayne Dyess, County Administrator, informed the Commission that the Baldwin County Commission Interim Payments - January 19, 2021, made by the Clerk/Treasurer, totaling \$4,633,042.53 (four million, six hundred thirty-three thousand, forty-two dollars and fifty-three cents) are a part of the record.

## **F DISCUSSION ITEMS**

### **FN HIGHWAY**

**FN1** Gulf of Mexico Energy Security Act (GOMESA) Funding for County Projects [21-0387](#)

Wayne Dyess, County Administrator, said this item was discussed at the work session.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to approve funding the following projects using Gulf of Mexico Energy Security Act (GOMESA) funds:

Dirt Road Paving - Current Budgeted Projects \$1,000,000.00

Intracoastal Waterway Boat Launch - Construction \$3,000,000.00

County Road 6 Boat Launch - Construction \$2,000,000.00

Live Oak Landing \$1,200,000.00

Dirt Road Paving - New Projects \$600,000.00

Lillian Shoreline Restoration - Potential Overruns \$600,000.00

Total: \$8,400,000.00

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 1 - James E. Ball

**Abstain:** 0

## **G COMMISSIONER REQUESTS**

**H     ADDENDA**

**I     ADMINISTRATIVE REPORT**

**J     COUNTY ATTORNEY'S REPORT**

Brad Hicks, County Attorney, said there is a need for an executive session following the meeting.

**K     PUBLIC COMMENTS**

**L     PRESS QUESTIONS**

**M     COMMISSIONER COMMENTS**

The Commissioners provided their closing comments.

**N     ADJOURNMENT**

Brad Hicks, County Attorney, recommended the Commission adjourn into an executive session to discuss 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.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to adjourn into an executive session at 10:39 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:**            3 -     Joe Davis III, BillieJo Underwood, and Charles F. Gruber

**Nay:**            0

**Absent:**        1 -     James E. Ball

**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 the planned discussion complies with the reasons stated for the executive session.

After the vote, Chairman Davis said the January 19, 2021, Regular meeting will adjourn into an executive session at 10:39 a.m.