

# Baldwin County Commission

Baldwin County Commission Regular  
Meeting Minutes  
Tuesday, May 4, 2021  
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 Pastor John Foster, of Christ Presbyterian Church, Daphne, and the Pledge of Allegiance led by Commissioner James E. Ball, the Commission transacted the following business to-wit:

### A ADOPTION OF MINUTES

April 20, 2021, Regular Meeting

Motion by Commissioner Charles F. Gruber, seconded by Commissioner James E. Ball, to approve the minutes of the April 20, 2021, 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 three Items under Administration for the Commission's approval. Item BA3 - Property Adjacent to 17917 CC Road, Elberta, Alabama, Eastfork Landfill (Gottler Estate) - Making a

Part of the Record, will need to be voted on separately due to a conflict of interest.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, to approve Items BA1 - BA2.

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** City of Fairhope - Annexation Notification

[21-0790](#)

Authorize the placement of the City of Fairhope Annexation Ordinance No. 1707, an Ordinance Amending Ordinance No. 1253 known as the Zoning Ordinance, annexing property into the corporate limits of the City of Fairhope, Alabama, into the minutes of the May 4, 2021, Baldwin County Commission meeting with proper notification to the following departments/organizations:

Baldwin County Commission Departments:  
Baldwin County Commission  
Building Inspection Department  
Communications/Information Systems Department  
Environmental Management/Solid Waste Department  
Highway Department  
Planning and Zoning Department

Elected Officials:  
Baldwin County Revenue Commission  
Baldwin County Sheriff's Office

Other Agencies:  
Board of Registrars Office  
Emergency 911  
South Alabama Regional Planning Commission

**BA2** City of Spanish Fort - Annexation Notification

[21-0789](#)

Authorize the placement of the City of Spanish Fort's Annexation Ordinances No. 567-2020, No. 574-2021, and No. 575-2021, annexing property into the corporate limits of the City of Spanish Fort, Alabama, into the minutes of the May 4, 2021, Baldwin County Commission meeting with proper notifications to the following departments/organizations:

Baldwin County Commission Departments:  
Baldwin County Commission  
Building Inspection Department  
Communications/Information Systems Department  
Environmental Management/Solid Waste Department  
Highway Department  
Planning and Zoning Department

Elected Officials:  
Baldwin County Revenue Commission  
Baldwin County Sheriff's Office

Other Agencies:  
Board of Registrars Office  
Emergency 911  
South Alabama Regional Planning Commission

**BA3** Property Adjacent to 17917 CC Road, Elberta, Alabama, Eastfork Landfill  
(Gottler Estate) - Making Final Recorded Documents Part of the Record

[21-0819](#)

Commissioner Gruber left the Chambers and the meeting at 8:35 a.m.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to make the Warranty Deed (Instrument No. 1900073) and all associated documents for the purchase of Property Adjacent to 17917 CC Road, Elberta, Alabama, Eastfork Landfill (Gottler Estate), a part of the record.

The motion passed by the following vote:

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

Commissioner Gruber returned to the meeting at 8:36 a.m.

**BD BALDWIN REGIONAL AREA TRANSIT SYSTEM (BRATS)**

Wayne Dyess, County Administrator, said a resolution has been added to the Staff Recommendation for Item BD1 - BRATS 5307 System Urbanized Funding.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, 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** \*Baldwin Regional Area Transit System (BRATS) 5307 Urbanized Funding - Baldwin County Becoming Federal Transit Administration (FTA) Direct Recipient [21-0803](#)

Take the following actions:

- 1) Authorize the Chairman to execute correspondence to the Alabama Department of Transportation (ALDOT) requesting permission to submit the required application and documents to the Federal Transit Administration (FTA) Region IV to become a Direct 5307 Recipient; and
- 2) Authorize the Chairman to execute correspondence to FTA to inform the FTA of the County's intention to request direct recipient status for 5307 funding from the FTA;
- 3) Adopt and authorize the Chairman to execute Resolution #2021-077, which authorizes the Baldwin County Commission (BRATS) to file application with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for federal transportation assistance authorized by 49 U.S.C. Chapter 53; title 23, United States Code, or other federal statutes administered by the Federal Transit Administration.

## **BE BUDGET/PURCHASING**

Wayne Dyess, County Administrator, said there are 12 Items under Budget/Purchasing for the Commission's approval. Mr. Dyess said the Staff Recommendation of Item BE7 has been revised to reflect the correct bid amount.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to approve Items BE1 - BE12.

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 #WG21-04D - Provision of Bag Ice for the Baldwin County Commission [21-0816](#)

Award the bid for the provision of bag ice to Ice Plant, Inc. as follows:

Item: Ice - 10 lb. bag

Amount bid: \$0.27 per lb. = \$2.70 per 10 lb. bag

Manufacturer or Brand: Ice Plant, Inc.

**BE2** Competitive Bid #WG21-23 - Provision of Ready-Mix Concrete for the Baldwin County Commission

[21-0804](#)

Award bid #WG21-23 for the provision of ready-mix concrete to Ready Mix USA, LLC as per the Award Listing.

**BE3** Competitive Bid #WG21-24 - Provision of Mower Blades for the Baldwin County Commission

[21-0815](#)

Award Bid #WG21-24 for the provision of mower blades to the lowest responsible bidder, who met the specifications, Equipment Sales Company, LLC for Group #1 and Group #2 as per the Award Listing.

**BE4** Competitive Bid #WG21-28 - Provision of Regular Unleaded Gasoline and No. 2 Diesel Fuel for the Baldwin County Commission

[21-0792](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the provision of regular unleaded gasoline and No. 2 diesel fuel; and
- 2) Further, authorize the Chairman/Purchasing Division Commissioner for the Baldwin County Commission to approve any necessary addendums or clarifications if required after the bid is advertised.

**BE5** Competitive Bid #WG21-29 - Provision of Aftermarket Heavy Duty Truck Parts for the Baldwin County Commission

[21-0793](#)

Take the following actions:

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

**BE6** Competitive Bid #WG21-30 - Provision of Finished Road Signs for the

[21-0794](#)

## Baldwin County Commission

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the provision of finished road signs; 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** \*Construction of the Baldwin County Highway Maintenance Facility (Area 200) Located in Silverhill, Alabama, for the Baldwin County Commission

[21-0801](#)

Take the following actions:

- 1) Award the bid for the construction of the Baldwin County Highway Maintenance Facility (Area 200) located in Silverhill to the lowest bidder, Lord & Son Construction, Inc., as follows and authorize the Chairman to execute the Contract.

Base Bid Amount: \$2,135,000.00

Construction Time: 320 calendar days

- 2) Not awarding Add Alternate #1 in the amount of \$40,336.00 (PEMB Storage Apparatus within the shop Area.

**BE8** Quote for the Purchase and Delivery of a Pre-cast Concrete Restroom Building at Live Oak Landing Park Located in Bay Minette, Alabama, for the Baldwin County Commission

[21-0780](#)

Approve and authorize the Chairman to execute a contract with CXT, Inc., for the purchase and delivery of a pre-cast concrete restroom building at Live Oak Landing Park located in Bay Minette with CXT, Inc., in the amount of \$98,540.73; Delivery Time: 120 days after receipt of order which is being purchased via the Sourcwell National Purchasing Contract.

**BE9** Quotes for Live Oak Landing Boat Launch Ramp Repairs for the Baldwin County Commission

[21-0798](#)

Award the quote for Live Oak Landing Boat Launch Ramp repairs to Gillis Construction, Inc., in the amount of \$27,000.00 and authorize the Chairman to execute the Public Works Contract and the Certificate of Compliance.

**BE10** Quotes for Repairs to the Josephine Park Fishing Pier located in Josephine, Alabama, for the Baldwin County Commission

[21-0827](#)

Award the quote for repairs to the Josephine Park fishing pier located in Josephine, Alabama, to Blade Construction, LLC in the amount of \$16,156.00 and authorize the Chairman to execute the Public Works Contract and the Certificate of Compliance.

**BE11** Quotes for Repairs to the Lillian Park Boat Ramp Pier located in Lillian, Alabama, for the Baldwin County Commission

[21-0828](#)

Award the quote for repairs to the Lillian Park boat ramp pier located in Lillian, Alabama, to Blade Construction, LLC in the amount of \$20,075.00 and authorize the Chairman to execute the Public Works Contract and the Certificate of Compliance.

**BE12** Resolution #2021-074 - School Items Annual Sales Tax Holiday 2021 - July 16-18, 2021

[21-0800](#)

Adopt Resolution #2021-074 of the Baldwin County Commission, which, pursuant to the Code of Alabama 1975, as amended by §40-23-213 and Act No. 2017-120, and without limitation hereby exempts covered items from all County Sales and Use Taxes with said exemption commencing at 12:01 a.m. on the third Friday in July 2021, (July 16, 2021), and expiring at midnight on the following Sunday in July 2021, (July 18, 2021).

Act No. 2017-120 amended §40-23-210 through §40-23-213 by replacing the exemption period from the first full weekend of August to the third full weekend of July.

The attached Resolution meets the requirements of the Code of Alabama 1975, as amended, by Title §40-23-210 through §40-23-213 and Act No. 2017-120, and without limitation.

**BJ ELECTED OFFICIALS**

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

Motion by Commissioner BillieJo Underwood, seconded by Commissioner James E. Ball, 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** Sale of Surplus Vehicles from the Baldwin County Sheriff's Office to the Chickasaw Police Department

[21-0759](#)

Take the following actions:

1) Authorize the sale of the following five (5) vehicles from the Baldwin County Sheriff's Office to the Chickasaw Police Department at 80% of the asset's fair market value as stated in Policy #8.8. The revenue from the sale of the five (5) vehicles be deposited into the Baldwin County Commission's General Fund:

- a) 2012 Chev Tahoe - VIN #1GNLC2E00CR252184 - Mileage 165,000 - Fair Condition
- b) 2012 Chev Tahoe - VIN #1GNLC2E01CR250847 - Mileage 165,700 - Fair Condition
- c) 2012 Chev Tahoe - VIN #1GNLC2E08CR249548 - Mileage 119,751 - Fair Condition
- d) 2012 Chev Tahoe - VIN #1GNLC2E09CR250871 - Mileage 163,600 - Fair Condition
- e) 2014 Chev Tahoe - VIN #1GNLC2E04ER218235 - Mileage 165,300 - Fair Condition

2) Authorize the Chairman to execute the Fixed Asset Change Forms.

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

Wayne Dyess, County Administrator, said there is one Item under Emergency Management Agency (EMA) for the Commission's approval.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to approve Item BK1.

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     Extension Request for the Stream-gaging Station on County Road 32 over Fish River - Gulf of Mexico Energy Security Act (GOMESA) Grant Agreement**

**21-0818**

Take the following actions:

1) Authorize the Chairman to execute the Gulf of Mexico Energy Security Act (GOMESA) Grant Agreement Amendment No. 1 which revises the end of the period of performance of the Gulf of Mexico Energy Security Act (GOMESA) Grant Agreement approved by the Commission on June 18, 2019, from March 31, 2021, to December 31, 2021, allowing for the payments of the final invoices to be paid and reimbursement claim to be completed within the period of performance; and

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



## **BN HIGHWAY**

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

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to approve Items BN1 - BN5.

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** Adopt-A-Mile - County Road 95 from Josephine Drive South to the End of Maintenance in Elberta, Alabama

[21-0817](#)

Authorize the Chairman and County Engineer to execute an Adopt-A-Mile Program application submitted by Ms. Karen Pate for County maintained sections on County Road 95 from Josephine Drive south to the end of maintenance in Elberta.

**BN2** Adopt-A-Mile - Comstock Road from County Road 95 East 1.4 Miles in Elberta

[21-0812](#)

Authorize the Chairman and County Engineer to execute an Adopt-A-Mile Program application submitted by Ms. Teri MacKenzie for Comstock Road from County Road 95 east 1.4 miles in Elberta, Alabama.

**BN3** Case No. S-16045 - Fairhope Falls, Phase 3 - Road Acceptance

[21-0782](#)

Take the following actions regarding Subdivision Case No. S-16045 - Fairhope Falls, Phase 3 in Maintenance Area 200:

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

Road Name: Iguazu Falls Avenue

Length: 69.97 ft

Asphalt Width: 22 ft

Road Name: Kaieeteur Falls Avenue

Length: 370.00 ft

Asphalt Width: 22 ft

Road Name: Landry Lane

Length: 529.79 ft  
Asphalt Width: 22 ft

Road Name: Sophie Falls Avenue  
Length: 1,200.60 ft  
Asphalt Width: 22 ft

Road Name: Sutherland Circle  
Length: 614.93 ft  
Asphalt Width: 22 ft

2) Approve and authorize the Chairman to execute the Subdivision Roadway and Drainage Improvement Acceptance Agreement and accept the Surety Document from Fidelity and Deposit Company of Maryland on behalf of Ammons and Blackmon Construction LLC in the amount of \$170,455.08 to guarantee the workmanship and materials of the roadways and drainage improvements within the public rights-of-way as shown on the approved Final and "As-Built" construction plans.

**BN4** Daphne East Elementary School - Construction of a Walking Track

[21-0779](#)

Approve Area 200 Highway Department to construct a walking track at Daphne East Elementary School for an estimated cost of \$12,360.00 for labor.

The Baldwin County Board of Education will furnish all materials for the project and be invoiced the actual cost of labor upon completion of the project.

**BN5** Resolution #2021-075 - Annexation and Transfer of a Portion of County Road 20 South to the City of Foley

[21-0783](#)

Adopt Resolution #2021-075 authorizing annexation and transfer of responsibility for a portion of County Road 20 South (from South McKenzie Street (State Road 59) west approximately 660 feet to the end of County maintenance) to the City of Foley.

**BQ PERSONNEL**

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

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to approve Items BQ1 - BQ5.

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 (BRATS) Department - Personnel Changes

[21-0806](#)

Take the following actions:

- 1) Approve the transfer of Jamie Adams from the part-time Bus Driver (PID #0024) grade 305 (\$14.328 per hour) to fill the open full-time Bus Driver (PID #513), with no change in hourly rate; and
- 2) Approve the employment of Candace Davenport to fill the open part-time Bus Driver position (PID #0025) at a grade 305 (\$13.910 per hour).

These actions will be effective no sooner than May 10, 2021.

**BQ2** \*Highway Department (Administration) - Employment of One (1) Custodian Position

[21-0807](#)

Approve the employment of lessha Armstead to fill the open Custodian position (PID #2088) at a grade 303 (\$13.50 per hour/\$28,080.00 annually) to be effective no sooner than May 10, 2021.

**BQ3** Highway Department (Silverhill) - Employment of One (1) Operator Technician Trainee

[21-0808](#)

Approve the employment of Jacob Daniels to fill the open Operator Technician Trainee position (PID #5490) at a grade 304 (\$13.250 per hour/\$27,560.00 annually) to be effective no sooner than May 10, 2021.

**BQ4** Sales, Use, and License Tax Department - Employment of One (1) Revenue Clerk I Position

[21-0820](#)

Approve the employment of Leigh Bedsole to fill the open Revenue Clerk I position (PID #5598) at a grade 306 (\$14.60 per hour/\$30,368.00 annually) to be effective no sooner than May 10, 2021.

**BQ5** Solid Waste Department (Collection Administration) - Employment of One (1) Billing Account Specialist I Position

[21-0809](#)

Approve the employment of Megan Douty to fill the Billing Account Specialist I position (PID #598) at a grade 306 (\$14.60 per hour/\$30,368.00 annually) to be effective no sooner than May 10, 2021.

## **BR PLANNING AND ZONING**

Wayne Dyess, County Administrator, said there are three Items under Planning and Zoning for the Commission's approval. Mr. Dyess noted that Item BR2 is the re-establishment of the Baldwin County Environmental Advisory Committee.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to approve Items BR1 - BR3.

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 Baldwin County Architectural Preservation Review Board - Board Appointment(s)**

[21-0802](#)

Related to the Baldwin County Architectural Preservation Review Board, take the following actions:

- 1) Re-appoint Mr. Mac Walcott as a member for a five (5) year term, said term continuing from January 1, 2021, and expiring on January 1, 2026; and
- 2) Re-appoint Mr. Ken Niemeyer as a member for a five (5) year term, said term continuing from January 1, 2021, and expiring on January 1, 2026; and
- 3) Re-appoint Mr. Troy Strunk as a member for a five (5) year term, said term continuing from January 1, 2021, and expiring on January 1, 2026.

### **BR2 Resolution #2021-068 - Establishment of the Baldwin County Commission Environmental Advisory Committee (EAC) and Committee Member Appointment(s)**

[21-0813](#)

Take the following actions:

- 1) Adopt Resolution #2021-068 which establishes the Baldwin County Environmental Advisory Committee (EAC) to replace the former Environmental Advisory Board (EAB) which ceased functioning in 2013; and
- 2) Related to the Baldwin County Commission Environmental Advisory Committee (EAC), appoint the following members:
  - a) Mr. Perry Lamb as a regular member (Commission District 1 Designee), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024; and

- b) Mr. Jason Padgett as a regular member (Commission District 1 Designee), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024; and
- c) Ms. Kim Burmeister as a regular member (Commission District 2 Designee), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024; and
- d) Mr. Dick Sute as a regular member (Commission District 2 Designee), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024; and
- e) Mr. Robert Davis as a regular member (Commission District 3 Designee), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024; and
- f) Mr. Michael Johnson as a regular member (Commission District 3 Designee), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024; and
- g) Mr. Tommy Cleverdon as a regular member (Commission District 4 Designee), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024; and
- h) Ms. Paige Felts as a regular member (Commission District 4 Designee), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024; and
- i) Mr. Tim Mullek as a regular member (At-large appointment), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024; and
- j) Mr. Brett Gaar as a regular member (At-large appointment), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024; and
- k) Ms. Leslie Gahagan as a regular member (At-large appointment), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024; and
- l) Mr. Phillip Hinesley as a regular member (At-large appointment), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024; and
- m) Mr. Thomas Schmitz as a regular member (At-large appointment), for a three (3) year term, said term commencing May 4, 2021, and expiring on May 4, 2024.

**BR3**    2020-2021 Municipal Separate Storm Sewer Systems (MS4) Annual Report

**21-0810**

Authorize the County Commission Chairman to sign the Signatory Page for the 2020-2021 Municipal Separate Storm Sewer Systems (MS4) Annual Report.

## **C PRESENTATIONS**

### **CA GENERAL**

#### **CA1 Employee of the Quarter for 1st Quarter 2021**

[21-0821](#)

Deidra Hanak, Personnel Director, Joey Nunnally, County Engineer, and Tyler Mitchell, Construction Manager, appeared before the Commission to present the Employee of the Quarter certificate to Todd Reed, Engineering Technician III, with the Highway Department.

Mr. Nunnally said Mr. Reed's prior experience is a great addition to the Highway team.

Mr. Mitchell said Mr. Reed takes his job seriously, is a devoted employee and thanked Mr. Reed for the work he does.

Mr. Reed appeared before the Commission and said he was grateful for the recognition and thanked his supervisors, co-workers and the Commissioners.

#### **CA2 Proclamation - Historic Preservation Month - May 2021**

[21-0784](#)

After Wayne Dyess, County Administrator, read the Proclamation, the Commissioners presented the Proclamation to Mr. John Sledge, Architectural Historian with the Mobile Historic Development Commission and Mr. Mike Bunn, President of the Baldwin County Historic Development Commission.

Mr. Sledge commented on the history of Baldwin County, how far the County has come over the years due to its people and the determination to provide an inspiring example for the future.

Mr. Bunn said historic preservation is interpreting and preserving Baldwin County's shared heritage and thanked the Commissioners for the recognition and support.

Motion by Commissioner James E. Ball, seconded by Commissioner BillieJo Underwood, to adopt a Proclamation proclaiming May 2021 as Historic Preservation Month in Baldwin County, Alabama.

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	
<b>Abstain:</b>	0	

After Wayne Dyess, County Administrator, read the Proclamation, the Commissioners presented the Proclamation to Brian Gulsby, Captain, Daphne Police Department; Jamie Day Montgomery, Public Relations and Content Manager for The Wharf; Meredith Portman, Owner, Portman Creative; Sontrease Williams-Maynard, Special Counsel, Adams and Reese, LLP, and Co-founder for the non-profit The Maynard 4 Foundation; Corey Martin, Fairhope City Councilman and Founder of the non-profit Lampro Asteri Youth Development; Donald Burton, Trial Attorney, Mobile County Public Defender's Office; and Jessica Walker with the City of Fairhope.

Councilman Martin said mental health is a crisis in America which has been stigmatized in the past and bringing awareness to it as a health care issue helps in prevention and treatment efforts.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Charles F. Gruber, to adopt a Proclamation proclaiming the month of May 2021, as Mental Health Awareness Month in Baldwin County, Alabama.

The motion passed by the following vote:

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

## **D PUBLIC HEARINGS**

## **E COMMITTEE REPORTS**

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

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

**21-0796**

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to pay bills totaling \$15,040,443.28 (fifteen million, forty thousand, four hundred forty-three dollars and twenty-eight cents) with the exception of Vendor #113, which is listed in the Baldwin County Accounts Payable Payments - April 20, 2021, for a revised total of \$ 15,040,164.51.

Of this amount, \$11,276,492.82 (eleven million, two hundred seventy-six thousand, four hundred ninety-two dollars and eighty-two cents) was paid to the Baldwin County Board of Education and \$703,288.27 (seven hundred three thousand, two hundred eighty-eight dollars and twenty-seven cents) was paid 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 #113 in the amount of \$278.77.

Vendor #113: Davis, Joseph L., III - \$278.77

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 [21-0795](#)

Wayne Dyess, County Administrator, informed the Commission that the Baldwin County Commission Interim Payments - May 4, 2021, made by the Clerk/Treasurer, totaling \$ 4,846,477.24 (four million, eight hundred forty-six thousand, four hundred seventy-seven dollars and twenty-four cents) are a part of the record.

## **F DISCUSSION ITEMS**

### **DJ ELECTED OFFICIALS**

**DJ1** Proposal for Provision of a Conceptual Study and Cost Estimate for Relocating the Baldwin County Coroner's Facility [21-0811](#)

No action taken.

### **FM FINANCE AND ACCOUNTING**

**FM1** WildNative LOL, LLC Security Deposit [21-0823](#)

No action taken.

### **FR PLANNING AND ZONING**

**FR1** \*Mobile Bay National Estuary Program/Alabama Department of Environmental Management 319 Grant - Letter of Support for the D'Olive Creek Watershed Restoration Project [21-0814](#)



Ashley Campbell, Natural Resource Manager, appeared before the Commission to present a request from the Mobile Bay National Estuary Program (MBNEP) for a letter of support for the D'Olive Creek Restoration. The MBNEP is applying for ADEM 319 grant funding for two additional stream restorations.

Ms. Campbell presented a video, Protecting Alabama's Waters, detailing the success of previous restoration by the MBNEP, specifically the waters of the Mobile-Tensaw Delta and the work being accomplished through the D'Olive Watershed Management Plan.

Mr. Jason Kudulis with Mobile Bay National Estuary Program appeared before the Commission to further detail the work being done to improve the quality of the County's waterways and environment.

The Commissioners commented on the success of the program and the importance of the work the MBNEP does.

Ms. Campbell said the program is making a difference and creating a clean water future for generations to come.

Motion by Commissioner James E. Ball, seconded by Commissioner Charles F. Gruber, to approve and authorize Chairman to execute the Mobile Bay National Estuary Program (MBNEP)/Alabama Department of Environmental Management 319 Grant - Letter of Support for the D'Olive Creek Watershed Restoration Project.

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

## **G COMMISSIONER REQUESTS**

Commissioner Ball requested a status update on the letter to the municipalities regarding Senate Bill 107 which was discussed during the previous regular Commission meeting.

Mr. Brad Hicks, County Attorney, asked if additional language needed to be added regarding the planning aspect and if so, he would make that change today and submit the letter for the Commission's final approval.

The Commissioners agreed to the additional language.

Chairman Davis requested for the letter to be a priority and for staff to get it out to the municipalities as soon as possible.

## **H     ADDENDA**

## **I     ADMINISTRATIVE REPORT**

Wayne Dyess, County Administrator, said he would like to recognize and thank Felicia Anderson, Director of Archives/Special Historic Project Coordinator, and her staff for their work with historic preservation.

## **J     COUNTY ATTORNEY'S REPORT**

Brad Hicks, County Attorney, said there are six items to discuss in 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 adjourn into an executive session to discuss with their attorney:

- 1) 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
- 2) To discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property; and
- 3) To discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to adjourn into an executive session at 9:30 a.m., to discuss with their attorney:

- 1) 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
- 2) To discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property; and
- 3) To discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees.

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

After the vote, Chairman Davis said the May 4, 2021, regular meeting will adjourn into an executive session at 9:30 a.m. and the Commission will not reconvene.