

Baldwin County Commission

**Baldwin County Commission Regular
Meeting Minutes
Tuesday, November 16, 2021
8:30 AM**



**Baldwin County Fairhope Satellite
Courthouse
County Commission Meeting
Chambers – 2nd Floor
1100 Fairhope Avenue
Fairhope, Alabama 36532**

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

Wayne A. Dyess, County Administrator

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

WELCOME BY CHAIRMAN, INVOCATION AND PLEDGE OF ALLEGIANCE

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

Absent: 0

Also present was, Wayne Dyess, County Administrator.

The Chairman called the meeting to order at 8:32 a.m. After the prayer led by Joey Nunnally, County Engineer, and the Pledge of Allegiance led by Commissioner Joe Davis, III, the Commission transacted the following business to-wit:

A ADOPTION OF MINUTES

November 2, 2021, Regular Meeting

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Joe Davis, III, to adopt the minutes of the November 2, 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

Chairman Ball said the corrections noted on the agenda have been made; the Consent Agenda includes Section B - Action Items, and he will entertain a motion to approve the Consent Agenda as discussed during the work session.

Motion by Commissioner Joe Davis, III, seconded by Commissioner BillieJo Underwood, to approve items under Section B - Action Items.

The motion passed by the following vote:

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

BA ADMINISTRATION

BA1 City of Fairhope - Annexation Notification

[22-0193](#)

Authorize placement of the City of Fairhope's Annexation Ordinance No. 1725, annexing property into the corporate limits of the City of Fairhope, Alabama, into the minutes of the November 16, 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 *Port City Pacers Holiday Half Marathon 2021

[22-0197](#)

Take the following actions:

1) Approve the requested routes for the Port City Pacers Holiday Half Marathon on December 4, 2021, beginning at Mullet Point Park in Point Clear, Alabama at 8:30 a.m. and ending at approximately 12:00 noon at the same location; and

2) Acknowledge that alcoholic beverages will be consumed on the premises by Port City Pacers.

BA3 The Optimist Club of Perdido Bay 30th Annual Lillian Christmas Parade

[22-0132](#)

Approve the requested road closure for the Optimist Club of Perdido Bay 30th Annual Lillian Christmas Parade on Saturday, December 11, 2021, beginning at 12:45 p.m. until 2:15 p.m. The parade will start on Widell Street, proceeding northeast on U.S. Highway 98, north on 6th Street, west on West Barclay, then south on Santa Piedro Street, back to the point of beginning. The parade is 1 1/4 miles long and will take approximately 1 hour and 15 minutes to complete.

The Baldwin County Sheriff's Office will provide security for the event and the Alabama Law Enforcement Agency, Highway Patrol Division, Troop A will provide traffic control on Highway 98.

BA4 *Baldwin County Library Board - Board Resignation

[22-0192](#)

Related to the Baldwin County Library Board (Baldwin County Library Cooperative, Inc), take the following actions:

- 1) Accept the resignation of Dr. Theresa Harden, dated October 29, 2021, and thank Dr. Harden for her prior civic service.
- 2) Appoint Mr. Cliff McCollum to fill the vacant place seat formerly held by Dr. Theresa Harden, for a pro-rata reduced term, said term to commence November 16, 2021, and expire October 1, 2022.

BA5 South Alabama Rural Planning Organization (RPO) - Board Appointment(s)

[22-0227](#)

As related to the South Alabama Rural Planning Organization (RPO), take the following actions:

- 1) Recognize that Mr. Matthew Brown, by virtue of serving as the Baldwin County Planning Director, is a member of the Technical / Citizens Advisory Committee and for Mr. Brown's tenure as the Baldwin County Planning Director; and
- 2) Recognize that Ms. Ann Simpson, by virtue of serving as the Baldwin Regional Area Transit System (BRATS) Director, is a member of the Technical / Citizens Advisory Committee and for Ms. Simpson's tenure as BRATS Director.

BA6 *Consideration for Rescheduling Certain Baldwin County Commission Work Session Meetings and Regular Meetings in 2022

[21-1360](#)

Adopt Resolution #2022-003 which approves the following:

- 1) The January 17, 2022, Work Session Meeting of the Baldwin County Commission is

rescheduled to instead, be held and conducted on Tuesday, January 18, 2022, at 8:30 a.m., in the County Commission Meeting Chambers in the Baldwin County Fairhope Satellite Courthouse as located at 1100 Fairhope Avenue, Fairhope, Alabama; and

2) The January 18, 2022, Regular Meeting of the Baldwin County Commission is rescheduled to begin at 10:00 a.m., County Commission Meeting Chambers in the Baldwin County Fairhope Satellite Courthouse as located at 1100 Fairhope Avenue, Fairhope, Alabama; and

3) The February 28, 2022, Work Session Meeting of the Baldwin County Commission is rescheduled to instead, be held and conducted on Wednesday, March 2, 2022, 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 March 1, 2022, Regular Meeting of the Baldwin County Commission is rescheduled to instead, be held and conducted on Wednesday, March 2, 2022, 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 June 20, 2022, Work Session Meeting of the Baldwin County Commission is rescheduled to instead, be held and conducted on Tuesday, June 21, 2022, at 8:30 a.m., in the County Commission Meeting Chambers in the Baldwin County Fairhope Satellite Courthouse as located at 1100 Fairhope Avenue, Fairhope, Alabama; and

6) The June 21, 2022, Regular Meeting of the Baldwin County Commission is rescheduled to begin at 10:00 a.m., in the County Commission Meeting Chambers in the Baldwin County Fairhope Satellite Courthouse as located at 1100 Fairhope Avenue, Fairhope, Alabama; and

7) The July 4, 2022, Work Session Meeting of the Baldwin County Commission is rescheduled to instead, be held and conducted on Tuesday, July 5, 2022, 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 5, 2022, 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 5, 2022, Work Session Meeting of the Baldwin County Commission is rescheduled to instead, be held and conducted on Tuesday, September 6, 2022, 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 6, 2022, 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.

BA7 Request from Family Promise of Baldwin County, Inc. - Certification
Regarding ADECA 2021 Emergency Solutions Grant (ESG) Program
Funds

[22-0185](#)

Authorize Chairman to execute the Certification of Local Government Approval which approves Family Promise of Baldwin County Alabama, Inc. to enter into an Agreement (HESG-21-005) with the Alabama Department of Economic and Community Affairs (ADECA) as the subrecipient of the 2021 Emergency Solutions Grant (ESG) Program Funds.

This approval does not in any way constitute any financial involvement, obligation of reporting or administrative follow-up for compliance from the Baldwin County Commission.

BB ANIMAL CONTROL

BB1 Amendment and Correction to Action Taken Related to Agenda Item BB4 -
January 21, 2020, Baldwin County Commission Regular Meeting

[22-0177](#)

Amend and correct for the record, the action taken by the Commission during its regular meeting on January 21, 2020, related to Agenda Item BB4 - Veterinary Service Contracts for the Baldwin County Animal Shelter, as follows:

1) Approve the Veterinary Service Contracts with the following entities:

Animal Medical Center
Baldwin Animal Clinic and Gulf Coast Equine Hospital
Bay Minette Animal Clinic
Central Baldwin Veterinary Clinic
Colony Animal Clinic
Dykes Veterinary Clinic
Eastern Shore Pet Hospital
Happy Acres Veterinary Clinic
Lillian Veterinary Hospital, LLC
Robertsdale Animal Clinic
Magnolia by the Gulf Small Animal Hospital

With said contracts to supersede any other previously approved Veterinary Service Contracts for each entity. The contracts shall commence on January 21, 2020, and continue for a period of two (2) years, expiring January 21, 2022, with an automatic renewal for one additional one (1) year, term expiring January 21, 2023, unless terminated by either party in accordance with the terms of the Agreement Veterinary Service Contracts; and

2) Authorize the Chairman to execute any additional Veterinary Service Contracts (with the same terms) in the future and have those contracts entered into the record at the next available Commission meeting.

BD BALDWIN REGIONAL AREA TRANSIT SYSTEM (BRATS)

BD1 Authorized Users for the 5307 Urban Area Transit Program - Transit Award Management System and Electronic Clearing House Operation [22-0182](#)

Take the following actions:

1) Approve and authorize the Chairman to execute the Designation of Authority for Federal Transit Administration (FTA) Transit Award Management System (TrAMS) User Managers for the 5307 Urban Area Transit Program.

2) Approve and authorize the Chairman and Legal Counsel to execute the Designation of Signature Authority for the FTA Transit Award Management System, which authorizes the Chairman and Director of Transportation to obtain a Personal Identification Number (PIN) in order to transmit and execute applications and documents required for Federal Transit Administration (FTA) Grants.

3) Approve and authorize the Chairman to execute the Electronic Clearing House Operation (ECHO) Authorization & Certification which authorizes Cian Harrison, Clerk/Treasurer, as the ECHO Authorizing Official to approve payment requests and authorize user access to the ECHO system on behalf of the Baldwin County Commission.

BD2 Title VI Program for Baldwin Regional Area Transit System (BRATS) [22-0235](#)

Adopt Resolution #2022-025 and approve the updated Title VI Program for Baldwin Regional Area Transit System.

BE BUDGET/PURCHASING

BE1 Competitive Bid #WG21-49 - Provision of Regular Unleaded Gasoline and No. 2 Diesel Fuel for the Baldwin County Commission [22-0180](#)

Award Bid #WG21-49 to the lowest bidder, Petroleum Traders Corporation, for the Provision of Regular Unleaded Gasoline and No. 2 Diesel Fuel as per the Award Listing. (Effective November 16, 2021, through November 16, 2023).

BE2 Competitive Bid #WG22-03 - Provision of Fire Protection Services (Extinguishers) for the Baldwin County Commission [22-0236](#)

Award Bid #WG22-03 to the lowest bidder, Southern Fire & Safety, Inc., for the

Provision of Fire Protection Services (Extinguishers) as per the Award Listing.

BE3 Competitive Bid #WG22-04 - Annual Rental of Portable Toilets for the Baldwin County Commission

[22-0232](#)

Award Bid #WG22-04 for the Annual Rental of Portable Toilets to A & M Portables, Inc., as per the Award Listing.

BE4 Competitive Bid #WG22-09 - Purchase and Installation of One (1) New 200 kW Natural Gas Generator for the Baldwin County Annex IV Building located in Bay Minette, Alabama for the Baldwin County Commission

[22-0189](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the purchase and installation of one (1) new 200 kW natural gas generator for the Baldwin County Annex IV building located in Bay Minette, Alabama; 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 #WG22-10 - Purchase of One (1) New 2021 Chevrolet Tahoe 2WD or Equivalent for the Baldwin County Commission

[22-0200](#)

Take the following actions:

- 1) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the purchase of one (1) 2021 new 2021 Chevrolet Tahoe 2WD or equivalent; 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 Contract Extension for Professional Services to Support IBM I Servers (AS400) for the Baldwin County Commission

[22-0181](#)

Extend the Professional Services Contract with David Pimperl for consulting services to assist with the system administration and support of the County's IBM I Servers (AS400), at a cost of \$85.00 per hour, not to exceed 15 hours per month, for an additional twelve (12) months at the same terms and conditions as stated in the original Contract award on January 5, 2021. The Contract extension will expire on January 5, 2023.

BE7 Phase I of the Purchase and Installation of Security Equipment for the New Female Housing Addition to the Baldwin County Corrections Center and Renovations of Adjacent Buildings Located in Bay Minette, Alabama

[22-0187](#)

Take the following actions:

- 1) Authorize the Purchasing Director to prepare and solicit informal bids in accordance with the Code of Alabama, Section 39-2-2(3)(g) for Phase I of the purchase and installation of Security Equipment for the new Female Housing Addition to the Baldwin County Corrections Center and Renovations of Adjacent Buildings located in Bay Minette, Alabama; 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.

BE8 Project No. HRRR-0221 (250) HW21109000 - High Risk Rural Roads (HRRR) Program Installation of Curve Pavement Markers and Edge Line Rumble Strips on CR-9 from US-98 to CR-48 and CR-47 from 1-65/SR287 to US-31 for the Baldwin County Commission

[22-0183](#)

Award the bid for Project No. HRRR-0221 (250) HW21109000 - High Risk Rural Roads (HRRR) Program Installation of Curve Pavement Markers and Edge Line Rumble Strips on CR-9 from US-98 to CR-48 and CR-47 from 1-65/SR287 to US-31 to Asphalt Services, Inc., Bid Amount \$106,655.00; Construction Time: 30 working days; and authorize the Chairman to execute the Contract.

BE9 Request for Proposals (RFP) for Property Tax Software Solution for the Baldwin County Commission

[22-0186](#)

Approve the Request for Proposals (RFP) for Property Tax Software Solution and authorize the Purchasing Director to advertise the RFP.

BJ ELECTED OFFICIALS

BJ1 *Submission of the Baldwin County Sheriff's Office Equitable Sharing Agreement and Certification Report for the Department of Justice and the Department of Treasury for Fiscal Year Ending September 30, 2021

[22-0224](#)

Take the following actions:

- 1) Approve the Baldwin County Sheriff's Office to submit the Equitable Sharing Agreement and Certification Report for Fiscal Year 2020-2021, to the U.S. Department of Justice, detailing the funds received and spent by the Baldwin County Sheriff's Office from federal forfeited cash from cases that the Baldwin County Sheriff's Office has participated in during the Fiscal Year 2020-2021; and

2) Authorize Connie Dudgeon, Director of Finance for the Baldwin County Sheriff's Office, to upload the Agreement to the Department of Justice through their eShare portal.

BL ENVIRONMENTAL MANAGEMENT

BL1 Revision of Baldwin County Commission Policy #7.4 - Solid Waste Landfill Tipping Fees and Commercial Account Late Fees [22-0202](#)

As relates to the Baldwin County Commission (Environmental Management Department) Policy #7.4, take the following actions:

- 1) Adopt Resolution # 2022-023, which approves the amendment of Policy #7.4 - Solid Waste Landfill Tipping Fees and Commercial Account Late Fees; and
- 2) Authorize the Baldwin County Solid Waste Department to establish an account with Experian for the purpose of verifying credit eligibility for commercial credit accounts at the landfill.

BL2 Baldwin County Solid Waste Uncollectible Residential Accounts - November 2021 [22-0225](#)

Approve the uncollectible residential garbage accounts list for write-offs in the amount of \$1,999.95.

BL3 *Lease Agreement Renewal for Murphy's Quality Hay for County-owned Property at Magnolia Landfill [22-0103](#)

Approve a Lease Agreement between Baldwin County Commission and William B. Murphy, III d/b/a Murphy's Quality Hay, for the lease of nine acres at Magnolia Landfill for Mr. Murphy to grow and harvest peanut crops. The rental payment shall be payable in an annual advance lump sum payment of Four Hundred Fifty Dollars (\$450.00).

Agreement shall commence on November 16, 2021 and expire on November 15, 2023, unless sooner terminated by either party, with or without cause or reason, with a forty-five (45) day written notification to the other party, in accordance with said Agreement.

BL4 Magnolia Landfill Financial Assurance [22-0223](#)

Recognize the Closure & Post Closure Liability Accrual for Magnolia Landfill for Fiscal Year 2021. Total accrual will be \$315,543.49. No cash transfer is needed this fiscal year. Cash account is funded as required to date.

BN HIGHWAY

BN1 Execution of IRS Form 8283 for a Donated Right-of-Way on Project No.
0203816 - Pate Road (Tract 5)

[22-0218](#)

Take the following actions:

- 1) Accept 0.725 acres on Pate Road (Tract 5) as a right-of-way donated to Baldwin County by BTAC Properties, LLC, on August 4, 2021 (Instrument No. 1934086 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.
0212119 - Russian Road (Tract 8)

[22-0221](#)

Take the following actions:

- 1) Accept 0.027 acres on Russian Road (Tract 8) as a right-of-way donated to Baldwin County by Sergio R. Braga on April 8, 2021 (Instrument No. 1904629 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.
0212119 - Russian Road (Tract 10)

[22-0228](#)

Take the following actions:

- 1) Accept 0.016 acres on Russian Road (Tract 10) as a right-of-way donated to Baldwin County by Dianna Kaye Carnley and Louis Michael Carnley on March 16, 2021 (Instrument No. 1899417 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.
0212119 - Russian Road (Tract 13)

[22-0229](#)

Take the following actions:

- 1) Accept 0.118 acres on Russian Road (Tract 13) as a right-of-way donated to Baldwin County by Raymond J. Edwards (as Trustee of the Wolf Ridge Trust dated February 4, 2016) on April 8, 2021 (Instrument No. 1904630 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. 0222219 / HW19222000 - County Road 13 at County Road 32 (Tract 4)

[22-0222](#)

Take the following actions:

1) Accept 0.023 acres on County Road 13 at County Road 32 (Tract 4) as a right-of-way donated to Baldwin County by Harold and Cathy Street (as Co-Trustees of the Street Living Trust, dated December 21, 2004) on April 20, 2021 (Instrument No. 1907427 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 J.M. Wood Auction Company, Inc. - Equipment Auction List

[22-0214](#)

Approve and authorize the Chairman to execute the list of Highway Department equipment for sale by auction (Exhibit A - Equipment List) at the J.M. Wood Auction facility in Montgomery, Alabama, on December 7-8, 2021.

BN7 License Agreement #21017 - Redfish Point Road - Right-of-Way

[22-0233](#)

Take the following actions:

1) Approve License Agreement #21017 permitting Baldwin County Sewer Service, LLC, to install a single 2-inch sewer force main on the north/west side of Redfish Point right-of-way from the end of maintenance, westward approximately 526 LF and one 1.5-inch service at 8782 Redfish Point Road. (The term of this agreement shall commence on the date of full execution. License for Installation shall terminate at 11:59 p.m. on June 30, 2022. License for Maintenance shall be indefinite according to the terms of the agreement.); and

2) Authorize the County Engineer to execute Utility Permit #21238-S.

BN8 Resolution #2022-021 - Change in the Functional Classification of Corte Road

[22-0212](#)

Take the following actions:

1) Adopt Resolution #2022-021 regarding the functional reclassification of Corte Road from a Local Road to a Major Collector; and

2) Approve the County Engineer to send a letter of request and all required documentation to the Alabama Department of Transportation (ALDOT) for the functional reclassification of Corte Road.

BN9 Resolution #2022-022 - Change in the Functional Classification of Saint Michael Way

[22-0216](#)

Take the following actions:

1) Adopt Resolution #2022-022 regarding the functional reclassification of Saint Michael Way from a Local Road to a Major Collector; and

2) Approve the County Engineer to send a letter of request and all required documentation to the Alabama Department of Transportation (ALDOT) for the functional reclassification of Saint Michael Way.

BN10 Sain Associates, Inc. - Agreement for Consulting Services - Travel Demand Modeling

[22-0213](#)

Approve the Agreement for Consulting Services between the Baldwin County Commission and Sain Associates, Inc., for travel demand modeling services. (The agreement shall be effective upon full execution and shall terminate upon thirty-six (36) months or seven (7) days written notice by the County.)

BO JUVENILE DETENTION

BO1 Alabama Department of Youth Services (DYS) Part 1 and Part 2 Grant Subsidy Agreement Fiscal Year 2021-2022

[22-0217](#)

Take the following actions:

1) Authorize the Chairman to execute the Alabama Department of Youth Services (DYS) Part 1 Grant/Subsidy Agreement Fiscal Year 2021-2022 and any related documents, which awards the Baldwin County Regional Juvenile Detention Center (JDC) \$14,000.00 per county for providing seven (7) counties at a minimum of one bed per day per county for a total of \$98,000.00 for the following counties:

Baldwin, Choctaw Clarke, Conecuh, Escambia, Monroe, and Washington

2) Authorize the Chairman to execute the Alabama Department of Youth Services (DYS) Part 2 Grant/Subsidy Agreement Fiscal Year 2021-2022 and any related documents, which awards the Baldwin County Regional Juvenile Detention Center \$151,678.00 for the population of the regional service area. The formula provides \$0.43209043024445 per person based on the 2020 United States Census.

BQ PERSONNEL

BQ1 Animal Control - Promotion of Employee into Animal Shelter Manager Position

[22-0219](#)

Take the following actions:

- 1) Approve the promotion of George Wesley Majors from the Office Manager position (PID #5352) grade 306 (\$15.50 per hour / \$32,240.00 annually), to fill the open Animal Shelter Manager position (PID #5351) at a grade S315 (\$50,481.60 annually), to be effective no sooner than November 22, 2021; and
- 2) Approve the position descriptions for the Animal Shelter Manager, Senior Animal Control Officer, and Animal Control Officer; and
- 3) Approve the updated organizational chart for the Animal Control.

BQ2 Budgeting and Purchasing Department - Employment of One (1) Assistant Purchasing Director Position

[22-0230](#)

Approve the employment of Michelle Criswell to fill the open Assistant Purchasing Director position (PID #5469) at a grade S316 (\$53,749) to be effective no sooner than November 22, 2021.

BQ3 Budgeting and Purchasing Department - Position Change

[22-0204](#)

Take the following actions:

- 1) Reclassify the full-time Senior Budget Accountant position (PID #5327) grade S317, to a part-time Budget Assistant at a grade 301; and
- 2) Approve the position description for Budget Assistant; and
- 3) Approve the updated organizational chart for the Budgeting and Purchasing Department.

BQ4 CIS Department - Employment of One (1) Communications Technician II Position

[22-0205](#)

Approve the employment of Henry Gilbert to fill the open Communications Technician II position (PID #5624) at a grade 311 (\$19.19 per hour / \$39,915.20 annually) to be effective no sooner than November 22, 2021.

BQ5 Highway Department (Pre-Construction) - Promotion of Employee into Right-of-Way Manager Position

[22-0206](#)

Approve the promotion of Tate Chalfant from the Right-of-Way Technician II position (#5498) grade 311 (\$19.76 per hour / \$41,100.80 annually) to fill the open Right-of-Way Manager position (PID #5632) at a grade S313 (\$45,276.64 annually) to be effective no sooner than November 22, 2021.

BQ6 Highway Department (Silverhill) - Promotion of Employees into Operator Technician II Positions

[22-0210](#)

Take the following actions:

- 1) Approve the promotion of Ian Hantz from the Operator Technician I position (#684) grade 307 (\$15.96 per hour / \$33,196.80 annually) to fill the open Operator Technician II position (PID #447) at a grade 308 (\$17.24 per hour / \$35,859.20 annually); and
- 2) Approve the promotion of Trenton Salac from the Landscape Technician I position (#5139) grade 306 (\$14.75 per hour / \$30,680.00 annually) in the Parks Department (57200), to fill the open Operator Technician II position (PID #301) at a grade 308 (\$16.26 per hour / \$33,820.80 annually) in the Silverhill Highway Department.

These actions will be effective no sooner than November 22, 2021.

BQ7 Parks Department - Employment of One (1) Part-Time Park Attendant Position

[22-0203](#)

Approve the employment of Donald Nefzer to fill the open part-time Park Attendant position (PID #17) at a grade 303 (\$12.75 per hour) to be effective no sooner than November 22, 2021.

BQ8 Probate Office - Employment of One (1) License Revenue Officer I Position

[22-0231](#)

Removed from the agenda. No action taken.

BQ9 Request for Leave of Absence - Baldwin Regional Area Transit System (BRATS)

[22-0207](#)

At the request of the County Administrator, approve a Leave of Absence for employee #182447 beginning November 4, 2021, for up to a 3-month period as outlined in the Baldwin County Employee Handbook, Section IV.I. "If an employee exhausts all of his or her annual, sick and FMLA leave and still needs additional time off for personal or health reasons, he or she may apply for an unpaid leave of absence for a period of up to three (3) months. The request for leave must be given to the employee's supervisor and Appointed Department Head at least thirty (30) days prior to the start of the requested leave date unless the leave is an emergency. Any request for leave of absences must be approved or denied by the County Commission."

BQ10 Revenue Commission - Position Changes

22-0209

Take the following actions:

- 1) Abolish the vacant Real Property Appraiser I positions (#5349 and #5517) in the Re-Appraisal division (51810); and
- 2) Create an Appraisal Clerk Supervisor position (grade S313) in the Re-Appraisal division (51810); and
- 3) Re-Title the Appraisal Clerk Coordinator (PID #2067) to Re-Appraisal Coordinator; and
- 4) Reclassify the vacant Assessment Specialist II position (#5572) grade 310, to an Assessment Support Technician I position, grade 305, in the Revenue Commission (51600); and
- 5) Approve the updated position descriptions for the Re-Appraisal Coordinator and Appraisal Clerk Supervisor; and
- 6) Approve the updated organizational chart for the Revenue Commission.

BQ11 Stop Loss Proposal - Partners Managing General Underwriters/United States Fire Insurance Company

22-0208

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, 2022.

BR PLANNING AND ZONING

BR1 Baldwin County Planning and Zoning Commission - Board Appointment(s)

22-0190

As relates to the Baldwin County Planning and Zoning Commission, take the following actions:

- 1) Reappoint Mr. Gregory Seibert as a regular member of the Board (BCC District 4 nominee) for a four (4) year term, said term to commence December 2, 2021, and expire December 2, 2025.
- 2) Reappoint Mr. Ernest Church as a regular member of the Board (BCC District 4 nominee) for a four (4) year term, said term to commence November 16, 2021, and expire November 16, 2025.

BR2 Planning Jurisdiction Agreement with the Town of Elberta

22-0168

Adopt Resolution #2022-019 which approves the Planning Jurisdiction Agreement between the Baldwin County Commission, the Town of Elberta, and the Planning Commission of the Town of Elberta, governing the regulation of subdivisions outside the City's corporate limits but within the municipal planning jurisdiction.

BR3 Planning Jurisdiction Agreement with the Town of Summerdale

[22-0169](#)

Adopt Resolution #2022-020 which approves the Planning Jurisdiction Agreement between the Baldwin County Commission, the Town of Summerdale, and the Planning Commission of the Town of Summerdale, governing the regulation of subdivisions outside the Town's corporate limits but within the municipal planning jurisdiction.

BR4 University of Alabama - NOAA National Integrated Drought Information Service Grant Proposal - Letter of Support

[22-0173](#)

Approve and authorize Chairman to execute a Letter of Support for the University of Alabama's NOAA National Integrated Drought Information Service Grant Proposal entitled "An Ecological Drought Forecasting Framework for Headwater Wetlands of the Southeast US Coastal Plain."

C PRESENTATIONS

Chairman Ball noted Item CA2 has been removed from the agenda due to the participants being unable to attend the meeting today and will be brought back to a future meeting.

CA GENERAL

CA1 Proclamation - 2021 Day of Thanks

[22-0220](#)

After Wayne Dyess, County Administrator, read the Proclamation, board members of Baldwin County United appeared before the Commission to accept the proclamation.

Ms. Ruthie Campbell, board member of Baldwin County United, said although the Day of Thanks has been canceled for the past 2 years due to Covid-19, the members are looking forward to being able to hold the event next year. Ms. Campbell introduced the Baldwin County United members present and those who were unable to attend the meeting today as follows:

Mr. Nick Sanders, Mr. Anthony Sampson, Dr. Cindy Wilson, Vice President, Mr. Warren Hopper, President of Baldwin County United (unable to attend), and Mr. David Greene, Secretary/Treasurer (unable to attend).

Ms. Campbell thanked the Commissioners for their support and discussed on the importance of working together to provide the opportunity for the Day of Thanks breakfast for the citizens of Baldwin County.

The Commissioners thanked the members of Baldwin County United for the services they provide.

Motion by Commissioner Joe Davis, III, seconded by Commissioner BillieJo Underwood, to adopt a Proclamation which sets aside November 16, 2021, as a countywide "Day of Thanks" 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

CA2 Presentation by South Alabama Land Trust - Overview of the Organization [22-0239](#)

Removed from the Agenda to be brought back before the Commission at a later date.

CA3 Baldwin County Emergency Management Agency - Planning and Grants Review for FY 2021 and Upcoming Grants for FY 2022 [22-0051](#)

Removed from the agenda.

D PUBLIC HEARINGS

DR PLANNING AND ZONING

DR1 *Case No. Z-21033 - Kittrell Property Rezoning [22-0201](#)

Chairman Ball opened the public hearing at 8:42 a.m.

Linda Lee, Senior Planner, appeared before the Commission and provided background information on the subject property.

Chairman Ball asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Ball closed the public hearing at 8:44 a.m.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to adopt Resolution #2022-013, which approves Case Z-21033, Kittrell Property, as it pertains to the rezoning of 15 acres, more or less, as located in Planning (Zoning) District 33, from RSF-1, Single-Family District to RA, Rural Agricultural District.

The motion passed by the following vote:

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

DR2 *Case No. Z-21034 - Lazzari Property Rezoning

[22-0196](#)

Chairman Ball opened the public hearing at 8:45 a.m.

Linda Lee, Planner, appeared before the Commission and provided background information on the subject property.

Chairman Ball asked if there are any questions regarding Case #Z-21034.

Matthew Brown, Planning Director, asked Ms. Lee to clarify that the Commission is only approving the rezoning to RA, Rural Agricultural, and not the open-air storage facility.

Ms. Lee said the request for the open-air facility would need to go before the Planning Commission for site plan approval, so the decision before the Commission today is the rezoning to RA, Rural Agricultural District.

Chairman Ball asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Ball closed the public hearing at 8:46 a.m.

Commissioner Underwood asked if there was any opposition to this case during the Planning and Zoning public hearing held on October 7, 2021, to which Ms. Lee replied she did not recall any opposition to the rezoning.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Joe Davis, III, to adopt Resolution #2022-014, which approves Case Z-21034, Lazzari Property, as it pertains to the rezoning of 27.66 acres, more or less, as located in Planning (Zoning) District 15, from RSF-E, Residential Single Family Estate District to RA, Rural Agricultural District.

The motion passed by the following vote:

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

Chairman Ball opened the public hearing at 8:47 a.m.

Linda Lee, Planner, appeared before the Commission and provided background information on the subject property.

Chairman Ball asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Ball closed the public hearing at 8:49 a.m.

The Commissioners and Ms. Lee discussed the location of the property, what opportunities this rezoning may open up in terms of big box stores, and who maintains the road.

Joey Nunnally, County Engineer, said the property is located on a County maintained road and as such, the County would ensure appropriate turn lanes are added as businesses come in.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Joe Davis, III, to adopt Resolution #2022-015, which approves Case Z-21035, Twin Oaks Co. Property, as it pertains to the rezoning of 4.22 acres, more or less, as located in Planning (Zoning) District 30, from B-3, General Business District to B-4, Major Commercial District.

The motion passed by the following vote:

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

Nay: 0

Absent: 0

Abstain: 0

DR4 *Land Disturbance Ordinance for Flood Prone Areas or Territories with Probable Exposure to Flooding in Unincorporated Baldwin County

22-0211

Chairman Ball opened the public hearing at 8:50 a.m.

Matthew Brown, Planning Director, appeared before the Commission and presented a slide-show with information on the proposed Land Disturbance Ordinance, which is for flood prone areas or territories with probable exposure to flooding in unincorporated Baldwin County. Mr. Brown said currently, in un-zoned areas, no permit is required by the County for land disturbance and the new land disturbance ordinance would help control filling, grading, dredging, and similar land disturbance activities which may increase flood damage or erosion. Mr. Brown clarified this is a separate ordinance from the Zoning Ordinance, and includes language for variance requests to be handled through the already

established Baldwin County Flood Damage Prevention Ordinance Board of Adjustments.

Chairman Ball asked if there is anyone present who wishes to speak.

There being no requests to address the Commission, Chairman Ball closed the public hearing at 8:54 a.m.

Mr. Brown noted the effective date of the Land Disturbance Ordinance will be December 1, 2021.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Charles F. Gruber, to take the following actions:

1) Adopt Resolution # 2022-016, which establishes the new Land Disturbance Ordinance for Flood Prone Areas or Territories With Probable Exposure to Flooding in Unincorporated Baldwin County, Alabama, designed to help control filling, grading, dredging, and similar land disturbance activities which may increase flood damage or erosion, by applying the land disturbance requirements of the Baldwin County Zoning Ordinance within areas displayed on a new Hydric Potential Map. Effective date of this ordinance to be December 1, 2021.

2) Approve a \$25.00 permit fee for issuance of this permit.

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

22-0199

Motion by Commissioner Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to pay bills totaling \$4,440,784.93 (four million, four hundred forty thousand, seven hundred eighty-four dollars and ninety-three cents).

Of this amount, \$468,164.72 (four hundred sixty-eight thousand, one hundred sixty-four dollars and seventy-two cents) is payable to the Baldwin County Board of Education and \$30,026.82 (thirty thousand, twenty-six dollars and eighty-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 - 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 [22-0198](#)

Chairman Ball noted no action is needed on Item EA2.

F DISCUSSION ITEMS

FA ADMINISTRATION

FA1 Proposal from Adams & Reese, LLP Related to Contract for Lobbyist Services for Fiscal Year 2022 - Revised Scope of Work and Fee Increase [22-0237](#)

Chairman Ball said Item FA1 has been moved to Item HA1, which the Commission has requested be pulled from the agenda until further notice.

FM FINANCE AND ACCOUNTING

FM1 Grants Administrator Position [22-0244](#)

Commissioner Davis asked if the Grants Administrator position is to be re-advertised, to which Cian Harrison, Clerk/Treasurer, replied yes; the process should take approximately one month.

Chairman Ball reiterated for the public that the Commission is re-advertising the Grants Administrator position.

G COMMISSIONER REQUESTS

H ADDENDA

HA GENERAL

HA1 FY 2022 Budget Amendment and Amendment of Memorandum of Agreement with Adams & Reese, LLP for Lobbyist Services for Fiscal Year 2022 [22-0248](#)

Removed from the Agenda. No action taken.

HA2 Baldwin County Solid Waste Gas-to-Energy Project Located at the Magnolia Sanitary Landfill - Second Amendments to Landfill Gas Rights and Ground Lease Agreements [22-0251](#)

Chairman Ball asked if Item HA2 is going forward, to which Wayne Dyess, County Administrator, replied Brad Hicks, County Attorney, will be arriving shortly

to address this item. No action taken.

I ADMINISTRATIVE REPORT

Wayne Dyess, County Administrator, noted Item BQ8 has been removed from Section B - Action Items, as noted on the Commissioner's agenda.

Mr. Dyess commended Matthew Brown, Planning Director, and his staff for the work done on the land disturbance ordinance and utilizing an existing planning law to address the need to protect the waterways, which is in alignment with the County's Strategic Plan.

K PUBLIC COMMENTS

Wayne Dyess, County Administrator, said there is one person signed up to speak, Mr. Lawyer Dees.

Mr. Dees appeared before the Commission and said the road condition on Sawmill Road is such that one of the property owners is not able to use her driveway due to flooding when it rains.

Chairman Ball asked Joey Nunnally, County Engineer, if Sawmill Road is currently maintained by the County, to which Mr. Nunnally replied no. This would need to go through the County's accept for maintenance process.

Chairman Ball asked Mr. Nunnally to meet with Mr. Dees following the meeting in order to start the process.

L PRESS QUESTIONS

M COMMISSIONER COMMENTS

The Commissioners provided their closing comments.

Commissioner Davis said he did not vote on the Payment of the Bills, which included a reimbursement to him for travel expenses and wanted to correct that for the record.

Chairman Ball said the Commission will take the appropriate vote after finalizing Commissioner Comments.

EA1 Payment of Bills

22-0199

Chairman Ball asked for a motion to pay Vendor # 139.

Motion by Charles F. Gruber, seconded by Commissioner BillieJo Underwood, to pay Vendor #139 in the amount of \$372.80.

Vendor #139: Davis, Joseph L., III - \$372.80

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

Chairman Ball said he introduced the meeting with the incorrect date, and would like to correct for the record the correct meeting date of Tuesday, November 16, 2021.

J COUNTY ATTORNEY'S REPORT

Brad Hicks, County Attorney, joined the meeting and said there are two items to discuss in an executive session.

N ADJOURNMENT

Brad Hicks, County Attorney, recommended the Commission adjourn the meeting and convene in an executive session 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 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.

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.

Motion by Commissioner BillieJo Underwood, seconded by Commissioner Joe Davis, III, to adjourn into executive session at 9:03. a.m. 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 to discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action.

The motion passed by the following vote:

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

Chairman Ball said the Commission will adjourn into executive session at 9:03. a.m. and will not reconvene.

