

Baldwin County Commission

Baldwin County Commission Regular
Meeting Minutes
Tuesday, September 6, 2022
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 Matthew P. McKenzie
District 3 – Commissioner Billie Jo Underwood
District 4 – Commissioner Charles F. Gruber

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 Matthew P. McKenzie, Commissioner Billie Jo Underwood, and Commissioner Charles F. Gruber

Absent: 0

Also present were, Ron Cink, Budget Director/Interim County Administrator, and Brad Hicks, County Attorney.

The Chairman called the meeting to order at 10:01 a.m. After the prayer led by Pastor Ron Reiser, Summerdale Assembly of God, and the Pledge of Allegiance led by Commissioner James E. Ball, the Commission transacted the following business to-wit:

A ADOPTION OF MINUTES

August 5, 2022, Special Meeting (Budget Deliberations)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to adopt the minutes of the August 5, 2022, Special Meeting (Budget Deliberations).

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

August 11, 2022, Special Meeting (Budget Deliberations)

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Billie Jo Underwood, to adopt the minutes of the August 11, 2022, Special Meeting (Budget Deliberations).

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

August 15, 2022, Special Meeting (Appointed Department Heads)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to adopt the minutes of the August 15, 2022, Special Meeting (Appointed Department Heads).

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

August 16, 2022, Regular Meeting

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Matthew P. McKenzie, to adopt the minutes of the August 16, 2022, Regular Meeting.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

B COMMITTEE REPORTS

BA FINANCE/ADMINISTRATION DIVISION

BA1 Payment of Bills

[22-1395](#)

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Billie Jo Underwood, to pay bills totaling \$19,306,559.59 (nineteen million, three hundred six thousand, five hundred fifty-nine dollars and fifty-nine cents).

Of this amount, \$12,702,021.83 (twelve million, seven hundred two thousand, twenty-one dollars and eighty-three cents) is payable to the Baldwin County Board of Education and \$940,712.36 (nine hundred forty thousand, seven hundred twelve dollars and thirty-six cents) is payable to the Gulf Shores Board of Education for their portion of the County Sales and Use Tax.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

BA2 Notification of Interim Payments Approved by Clerk/Treasurer as Allowed Under Policy 8.1

[22-1394](#)

No action taken.

North Baldwin Chamber Junior Ambassadors

Chairman Ball recognized the 18 students in attendance representing the North Baldwin Chamber of Commerce Junior Ambassador Program.

Kristina Pittman, Executive Director, and Marlee Bailey, Manager of Marketing Design and Projects, with the North Baldwin Chamber of Commerce were present.

Ms. Bailey appeared before the Commission and said the members are comprised of Seniors from Baldwin County High School. This is a youth leadership program sponsored by the Chamber where students learn about Baldwin County, city and county government, small business, life skills, and the importance of community service.

After the students introduced themselves, Ms. Bailey thanked the Commission for their support of the program.

Commissioner Ball spoke about the importance of the Chamber and thanked the Chamber staff for the work they do.

Commissioner Gruber encouraged the students to look into trade schools due to the demand for services.

Commissioner Underwood said there are some professions that demand a college degree but noted the new opportunities available, especially for women in the workforce. Commissioner Underwood encouraged the students to stick with their core

values, remain teachable and to not discount public service as a career.

Commissioner McKenzie encouraged the students to set their mind to their chosen career goal and not give up.

Chairman Ball said he was part of the first Junior Ambassador program in North Baldwin and discussed the influence the program had on him and his role in public service. Chairman Ball thanked the students for their attendance and the Chamber for their leadership.

C CONSENT

Chairman Ball noted Item CD3 has been removed from the Agenda at the request of staff and a replacement Agreement is forthcoming for Item CA4 to correct the effective date of the contract.

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to approve the Consent Agenda with the exception of Item CD3 which has been removed from the Agenda and with the notation of the corrected effective date of the contract for Item CA4.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

CA ADMINISTRATION

CA1 City of Daphne - Annexation Notification [22-1411](#)

Authorize the placement of the City of Daphne's Annexation Ordinances No. 2022-28, No. 2022-39, and No. 2022-49, annexing property into the corporate limits of the City of Daphne, Alabama, into the minutes of the September 6, 2022, 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 Probate Office

Baldwin County Revenue Commission
Baldwin County Sheriff's Office

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

CA2 City of Robertsdale - Annexation Notification

[22-1442](#)

Authorize the placement of the City of Robertsdale's Annexation Ordinances No. 006-2022, No. 008-2022, and No. 010-2022, annexing property into the corporate limits of the City of Robertsdale, Alabama, into the minutes of the September 6, 2022, 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 Probate Office
Baldwin County Revenue Commission
Baldwin County Sheriff's Office

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

CA3 Baldwin County Board of Human Resources - Board Appointment(s)

[22-1399](#)

Related to the Baldwin County Board of Human Resources Board of Directors, appoint Ms. Dorothy Hemmert as a member for a pro-rata reduced six (6) year term, to fill the place seat and unexpired term formerly held by Ms. Virginia Chaudron, said term to commence September 6, 2022, and expire September 1, 2025.

CA4 Alabama Department of Youth Services Agency Grant Agreement for Fiscal Year 2022 - 2023

[22-1427](#)

Take the following actions:

2) Approve the use of Mullet Point Park on Saturday, September 17, 2022, as a rest stop for the ride from 6:00 a.m. to 1:00 p.m. This rest stop would utilize the already existing pavilion and would have two (2) portable toilets and a hand washing station on the premises as well.

The Cities of Foley, Fairhope, Orange Beach, and Gulf Shores will assist with the event.

The Baldwin County Sheriff's Office will provide security and traffic control for the event.

CA8 Revision of County Take Home Vehicle List - September 2022

[22-1409](#)

Approve the revised County Take Home Vehicle List - September 2022.

The total number of Baldwin County Commission departmental staff driving County owned vehicles home is 207.

CA9 Sale of Surplus Chairs on GovDeals.com by Administration Department

[22-1363](#)

Take the following actions:

1) Approve the sale of 14 executive chairs on GovDeals.com through the Clerk/Treasurer; and

2) Authorize funds from the sale of the chairs to be deposited into the General Fund Miscellaneous Revenue account 100.47850; and

3) Increase Administration Budget equaling the sales proceeds to account 10051125.521100 Office Supplies and Equipment.

CA10 Space Allocation in County Facilities - Central Annex in Robertsdale, Alabama

[22-1356](#)

Pursuant to the authority granted the Baldwin County Commission at §11-3-11 (a) (1) of the Code of Alabama 1975 and Section 6 of Act No. 239 (1931), as amended, and without limitation, adopt Resolution #2022-160 of the Baldwin County Commission, which designates the rooms to be occupied in the Baldwin County Central Annex Building and further, to authorize the space allocations and offices applicable to the Baldwin County Central Annex Building located at 22251 Palmer Street in Robertsdale, Alabama.

(Resolution #2022-160 repeals Resolution #2022-111, adopted by the Baldwin County Commission on July 5, 2022.)

CB ANIMAL CONTROL

CB1 Professional Services Agreements with Surgery Center at Safe Harbor for Trap-Neuter-Return (TNR) and Veterinarian Services

[22-1361](#)

Take the following actions:

1) Approve and authorize the Chairman to execute the Professional Services Agreement for Trap-Neuter-Return (TNR) Services between the Baldwin County Commission and the Surgery Center at Safe Harbor. This agreement commences September 6, 2022, and continues for a period of one (1) year expiring September 6, 2023, with an automatic renewal for one (1) year expiring September 6, 2024, unless terminated by either party by giving a thirty (30) day written notice of termination; and

2) Approve and authorize the Chairman to execute the Veterinary Services Agreement between the Baldwin County Commission and the Surgery Center at Safe Harbor. This agreement commences September 6, 2022, and continues for a period of two (2) years expiring September 6, 2024, with an automatic renewal for one (1) year expiring September 6, 2025, unless terminated by either party by giving a sixty (60) day written notice of such termination.

CD BALDWIN REGIONAL AREA TRANSIT SYSTEM (BRATS)

CD1 Amendment of Previous Commission Action Related to Public Transit Vehicles for Baldwin Regional Area Transit System (BRATS) under 5307 Urban Transportation Grant Program

[22-1384](#)

Take the following actions:

1) Amend the action taken by the Baldwin County Commission during its regularly scheduled meeting on August 2, 2022, related to Agenda Item BD1, specifically to correct the purchase amount of 5307 urban transit vehicles from \$4,319.20 to \$4,320.00, due to the Alabama Department of Transportation's rounding requirement; and

2) Authorize the Clerk/Treasurer to void check number 253465 issued to ALDOT on August 2, 2022, in the amount of \$4,319.20; and

3) Authorize the Clerk/Treasurer to issue a check to ALDOT in the amount of \$4,320.00.

CD2 Amendment of Previous Commission Action Related to Public Transit Vehicles for Baldwin Regional Area Transit System (BRATS) under 5311 Rural Transportation Grant Program

[22-1378](#)

Take the following actions:

1) Amend the action taken by the Baldwin County Commission during its regularly scheduled meeting on August 2, 2022, related to Agenda Item BD2, specifically to correct the purchase amount of 5311 rural transit vehicles from \$8,055.20 to \$8,056.00,

due to the Alabama Department of Transportation's rounding requirement; and

2) Authorize the Clerk/Treasurer to void check number 253466 issued to ALDOT on August 2, 2022, in the amount of \$8,055.20; and

3) Authorize the Clerk/Treasurer to issue a check to ALDOT in the amount of \$8,056.00.

CD3 License Agreement with Cypress Spanish Fort III, LLC for Spanish Fort Transit Hub [22-1309](#)

Removed from the Agenda.

CD4 Request for Baldwin Regional Area Transit System Service from Daphne Senior Center to Foley Train Museum [22-1379](#)

Approve the request from Daphne Senior Center to utilize one (1) Baldwin Regional Area Transit System (BRATS) bus for transporting approximately 15 senior citizens from the Daphne Senior Center to the Foley Train Museum on Thursday, September 8, 2022, at an estimated cost of \$273.32 to be paid by the City of Daphne, Alabama.

CE BUDGET/PURCHASING

CE1 Competitive Bid #WG22-45A - Provision of Painting and Drywall Services for the Baldwin County Commission [22-1414](#)

Award Bid #WG22-45A - Provision of Painting and Drywall Services to the lowest bidder, Spanish Fort Painting & Construction, LLC, as per the Award Listing and authorize the Chairman to execute the Contract. The Contract shall be effective immediately upon the same date as its full execution for a period of twelve (12) months.

CE2 Competitive Bid #WG22-53A - Provision of On-call Equipment Rental (Forklift Services) with Operator for the Baldwin County Commission [22-1410](#)

Take the following actions:

1) Authorize the Purchasing Director to re-bid the Provision of On-call Equipment Rental (Forklift Services) with Operator for the Baldwin County Commission

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.

CE3 Competitive Bid #WG22-56 - Provision of Vehicle Detergent for the Baldwin County Commission [22-1368](#)

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.

CE8 Competitive Bid #WG22-66 - Provision of Off-site Inmate Healthcare Billing Services for the Baldwin County Correctional Facility

[22-1426](#)

Take the following actions:

1) Approve the specifications for the Provision of Off-site Inmate Healthcare Billing Services and authorize the Purchasing Director to place a competitive bid; 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.

CE9 Competitive Bid #WG22-67 - Provision of Janitorial Services for the Baldwin County Highway Maintenance Facility (Area 100) Located in Bay Minette, Alabama for the Baldwin County Commission

[22-1443](#)

Take the following actions:

1) Rescind the bid award approved on February 15, 2022, (Agenda Item BE2), specifically the portion for the Provision of Janitorial Services to Perfecting That Cleaning Service, LLC, in the amount of \$368.00 per month for the old Baldwin County Highway Maintenance Facility (Area 100) Modular Building located in Bay Minette, Alabama; and

2) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the Provision of Janitorial Services for the new Baldwin County Highway Maintenance Facility (Area 100) located in Bay Minette; and

3) 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.

CE10 Transfer of One (1) Vehicle from the Baldwin County District Attorney's Office to the Baldwin County Coroner's Office

[22-1369](#)

Approve the transfer of one (1) used 2012 Chevrolet Impala VIN #2G1WF5E34C1330752 from the District Attorney's Office to the Coroner's Office at no charge and authorize the Chairman to execute the Fixed Asset Form.

CE11 Sales and Use Tax Collection Agreement with Gulf Shores City Board of

[22-1365](#)

Education

As authorized by Section 45-2-243 of the Code of Alabama 1975, and without limitation, authorize the Chairman to execute a Sales and Use Tax Collection Agreement between the Baldwin County Commission and the Gulf Shores City Board of Education. This agreement shall commence October 1, 2022, and expire September 30, 2025, unless terminated sooner in accordance with the Agreement.

CE12 Sales and Use Tax Collection Agreement with Orange Beach City Board of Education

[22-1396](#)

As authorized by Section 45-2-243 of the Code of Alabama 1975, and without limitation, authorize the Chairman to execute a Sales and Use Tax Collection Agreement between the Baldwin County Commission and the Orange Beach City Board of Education. This Agreement shall commence on October 1, 2022, and expire on September 30, 2025, unless terminated sooner in accordance with the Agreement.

CI COUNCIL ON AGING

CI1 Fiscal Year 2022-2023 Title III Older Americans Act Contract with South Alabama Regional Planning Commission

[22-1141](#)

Take the following actions:

- 1) Approve the Fiscal Year 2022-2023 Contract for Services under the Title III Older Americans Act (Contract #302-AAA-2023) with a beginning date of October 1, 2022, and an ending date of September 30, 2023, with South Alabama Regional Planning Commission (SARPC), which allocates \$121,552.00 in Federal funds and \$23,500.00 in State funds (totaling \$145,052.00), to the Council on Aging for operating expenses related to providing services for older individuals throughout Baldwin County; and
- 2) Authorize the Chairman to execute the Contract for Services and any related documents.

This Contract will be effective October 1, 2022 and terminates September 30, 2023.

CJ ELECTED OFFICIALS

CJ1 Baldwin County Sheriff's Office - Tri-party Intergovernmental Service Agreement with City of Bay Minette for Housing of Prisoners at Baldwin County Corrections Center

[22-1405](#)

Approve the Tri-Party Intergovernmental Service Agreement between the City of Bay Minette, Baldwin County Sheriff's Office, and the Baldwin County Commission for the housing of the City of Bay Minette inmates at the Baldwin County Corrections Center. The agreement will commence on October 1, 2022, and terminate on September 30,

Contract will commence October 1, 2022, and terminate September 30, 2023.

CK EMERGENCY MANAGEMENT AGENCY (EMA)

CK1 Letter of Intent - DR-4632 (Severe Storms and Flooding) Hazard Mitigation Grant Program [22-1382](#)

Approve and authorize the Chairman to execute the Letter of Intent (LOI) to the Alabama Emergency Management Agency (AEMA) for Baldwin County Emergency Management Agency (BCEMA) to apply for DR-4632 Hazard Mitigation Grant Program (HMGP) funds, and to sign any related documents. The LOI will summarize the project types for which the Baldwin County Commission, through its department and staff, intend to apply.

CL ENVIRONMENTAL MANAGEMENT

CL1 Annual Christmas Tree Recycling Program - 2022 [22-1408](#)

Take the following actions:

- 1) Authorize the Baldwin County Solid Waste Department to conduct a Christmas Tree Recycling Program in 2022 - 2023; and
- 2) Authorize the Baldwin County Solid Waste Department to place information regarding the Christmas Tree Recycling Program on the county website; and
- 3) Authorize the Baldwin County Solid Waste Department to place roll-off waste containers at the following locations for citizens to place their discarded Christmas trees at no charge in the containers from December 26, 2022, to January 16, 2023:

Bay Minette Transfer Station
Spanish Fort Volunteer Fire Department
MacBride Landfill
Baldwin County Central Annex - Robertsedale
Fairhope Satellite Courthouse
Magnolia Landfill
Eastfork Landfill
Foley Satellite Courthouse
Perdido Beach Volunteer Fire Department

CL2 Baldwin County Solid Waste Department - 2022 Holiday Schedule [22-1402](#)

Take the following actions:

- 1) Approve the Baldwin County Solid Waste Holiday Schedule for Landfill Operating Hours as follows:

Landfill Holiday Schedule:

Thanksgiving Holiday - Thursday, November 24, 2022

ALL LANDFILLS CLOSED

Day After Thanksgiving - Friday, November 25, 2022

OPEN - Magnolia Landfill and Bay Minette Transfer Station

CLOSED - MacBride Landfill and Eastfork Landfill

Christmas Eve Holiday - Saturday, December 24, 2022

ALL LANDFILLS CLOSED

New Year's Eve Holiday - Saturday, December 31, 2022

OPEN - Magnolia Landfill

CLOSED - Bay Minette Transfer Station, MacBride Landfill and Eastfork Landfill; and

2) Approve the amended Baldwin County Solid Waste Residential Collection Schedule for the Holidays listed below:

Garbage Collection Holiday Schedule:

Thanksgiving Holiday - Thursday, November 24, 2022

CLOSED - No garbage collection

Day After Thanksgiving - Friday, November 25, 2022

Thursday garbage routes will be picked up.

There is no change to the garbage pickup schedule for the Christmas and New Year's holidays or the days that follow; and

3) Approve the Baldwin County Solid Waste Administrative Offices and Drive-Up Holiday Schedule as listed below:

Administrative Offices/Drive-Up Holiday Schedule: Will follow County Commission approved holiday schedule.

CL3 Baldwin County Solid Waste Uncollectible Commercial Accounts - September 2022

[22-1389](#)

Approve the following Baldwin County Solid Waste Commercial Account for write off:

Excel Cleanup, LLC - Balance \$876.91

CL4 Baldwin County Solid Waste Uncollectible Residential Accounts - September 2022

[22-1385](#)

Approve the uncollectible residential garbage accounts list for write-offs in the amount of

\$617.00.

CL5 Bay Area Radio Control Society (BARCS) - Magnolia Landfill Land Lease Agreement [22-1393](#)

Authorize the Chairman to execute a Lease Agreement between the Baldwin County Commission and Bay Area Radio Control Society (BARCS) for +/- 4.59 acres of County property at Magnolia Landfill for a flying field for radio-controlled model aircraft, at a lease price of \$1.00 per year.

(The Lease Agreement shall commence October 5, 2022, and expire October 4, 2025, unless sooner terminated as set forth by the Lease Agreement.)

CL6 Resolution #2022-155 - Fiscal Year 2022 Solid Waste Budget Adjustment [22-1380](#)

Adopt Resolution #2022-155 which amends the Fiscal Year 2022 Budget approved during the September 21, 2021, Baldwin County Commission meeting per Resolution #2021-128, to authorize additional funding of \$1,800,000.00 for Fund 510 capital expenditures for Magnolia Landfill Cell 9 Construction Project.

CL7 Revision of Baldwin County Commission Policy 7.6 - Solid Waste Residential Garbage Service Rates and Late Fees [22-1386](#)

Adopt Resolution #2022-159, which approves the revision of Baldwin County Commission Policy 7.6 - Solid Waste Residential Garbage Service Rates and Late Fees.

The updated policy increases the monthly residential service fee from \$16.00/month to \$17.00/month effective January 1, 2023.

CN HIGHWAY

CN1 Case No. S-14013 - Magnolia Shores Phase One - Release Maintenance Bond [22-1419](#)

Authorize staff to release the Surety Document (Maintenance Bond) from Old Republic Surety Company on behalf of MCN of Pace, Inc. for Magnolia Shores, Phase One in the amount of \$189,120.80 which guarantees the workmanship and materials of the roadways and drainage improvements within the public rights-of-way as shown on the approved Final Plat and "As-Built" construction plans.

CN2 Case No. S-19037 - Tensaw Estates - Release Maintenance Bond [22-1413](#)

Authorize staff to release the Surety Document (Maintenance Bond) from Cincinnati Insurance Company on behalf of Southern Land Development, LLC for Tensaw Estates in the amount of \$83,666.53 which guarantees the workmanship and materials of the roadways and drainage improvements within the public rights-of-way as shown on the

approved Final Plat and “As-Built” construction plans.

CN3 Funding Request Letter to ALDOT for Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation Formula Program [22-1400](#)

Approve and authorize the Chairman to execute the submission of funding request letter to the Alabama Department of Transportation (ALDOT) requesting the utilization of Promoting Resilient Operations For Transformative, Efficient, And Cost-saving Transportation (PROTECT) Formula Program funds for the proposed interchange modification at Baldwin Beach Express (BBE) and Interstate10 (I-10).

CN4 License Agreement No. 22011 - Marlow Ferry Park [22-1398](#)

Take the following actions:

1) Approve License Agreement No. 22011 permitting Baldwin County Sewer Service, LLC, c/o Richie Barnett to install a 1.5-inch sewer force main for 16225 Adams Lane. The term of this agreement shall commence on the date of full execution. License for installation shall terminate at 11:59 p.m. on April 30, 2023. License for maintenance shall be indefinite according to the terms of the agreement; and

2) Authorize the County Engineer to execute Utility Permit # SC-22002.

CN5 Project No. 0220919 / HW19209000 - Sonnie Lynn Lane - Quitclaim Deed [22-1429](#)

Take the following actions:

1) Rescind the portion of the action taken by the Baldwin County Commission, during its July 19, 2022, regular meeting related to Agenda Item BN6 which authorized the Chairman to execute Quitclaim Deeds conveying any and all right and title to certain portions of right-of-way owned by Baldwin County on Sonnie Lynn Lane to the following property owners:

Tracts 3 & 3A - H. Leslie Taylor Properties, LTD, and Emanuel Holdings, LLC.; and

2) AUTHORIZE the Chairman to execute a Quitclaim Deed conveying any and all right and title to certain portions of right-of-way owned by Baldwin County on Sonnie Lynn Lane to the following property owner:

Tracts 3 & 3A - Belle Fountain Land Company, LLC

CQ PERSONNEL

CQ1 Baldwin Regional Area Transit System Department - Position Change [22-1430](#)

Take the following actions:

- 1) Reclassify the full-time Customer Service Representative I position (PID #5226), grade 306 (\$30,680.00 annually) to a part-time Customer Service Representative I position grade 306 (\$22,243.00 annually); and
- 2) Approve the updated organizational chart for the BRATS Administration Department.

CQ2 Central Annex I - Employment of One (1) Custodian Position

[22-1431](#)

Approve the employment of Rhonda Ryals to fill the open Custodian position (PID #5404) at a grade 303 (\$12.75 per hour / \$26,520.00 annually) to be effective no sooner than September 12, 2022.

CQ3 Highway Department (Bay Minette) - Promotion of Employee

[22-1432](#)

Approve the promotion of Luke Killingsworth from the Operator Technician I position (PID #4046) grade 307 (\$15.87 per hour / \$33,009.60 annually) to fill the open Operator Technician II position (PID #248) grade 308 (\$17.14 per hour / \$35,651.12 annually) to be effective no sooner than September 12, 2022.

CQ4 Highway Department (Foley) - Employment of One (1) Operator Technician I Position

[22-1433](#)

Approve the employment of Joseph Avery to fill the open Operator Technician I position (#638) at a grade 307 (\$15.48 per hour / \$32,198.40 annually) to be effective no sooner than September 12, 2022.

CQ5 Highway Department (Silverhill) - Personnel Changes

[22-1434](#)

Take the following actions:

- 1) Approve the employment of James Milstid to fill the open Operator Technician I position (#1057) at a grade 307 (\$17.00 per hour / \$35,360.00 annually), with said salary due to experience; and
- 2) Approve the employment of Daniel Ruiz to fill the open Operator Technician Trainee position (#5488) at a grade 304 (\$13.38 per hour / \$27,830.40 annually); and
- 3) Approve the employment of Casey Craven to fill the open Operator Technician Trainee position (#5489) at a grade 304 (\$13.38 per hour / \$27,830.40 annually); and
- 4) Approve the employment of Cory Homan to fill the open Operator Technician Trainee position (#5490) at a grade 304 (\$13.38 per hour / \$27,830.40 annually); and

5) Approve the employment of Noah Johnson to fill the open Operator Technician Trainee position (#5491) at a grade 304 (\$13.38 per hour / \$27,830.40 annually).

These actions shall be effective no sooner than September 12, 2022.

CQ6 Juvenile Detention Center - Employment of One (1) Part-time Detention Worker I Position

[22-1436](#)

Approve the employment of Daniel Gates to fill the part-time Detention Worker I position (PID #21) at a grade 308 (\$16.26 per hour) to be effective no sooner than September 12, 2022.

CQ7 Parks Department - Promotion of Employees

[22-1444](#)

Take the following actions:

1) Approve the promotion of David Bradford from the Landscape Technician I position (PID #5564) grade 306 (\$15.73 per hour / \$32,718.40 annually) to fill the open Landscape Technician II position (PID #5377) at a grade 307 (\$16.99 per hour / \$35,339.20 annually); and

2) Approve the promotion of Michael Anderson from the Landscape Technician I position (PID #4043) grade 306 (\$15.65 per hour / \$32,552.00 annually) to fill the open Landscape Technician II position (PID #5658) at a grade 307 (\$16.90 per hour / \$35,152.00 annually); and

3) Approve the promotion of Hunter Long from the Landscape Technician I position (PID #531) grade 306 (\$14.75 per hour / \$30,680.00 annually) to fill the open Landscape Technician II position (PID #5378) at a grade 307 (\$15.93 per hour / \$33,134.40 annually); and

4) Approve the promotion of Timothy Bryars from the Landscape Technician I position (PID #4041) grade 306 (\$14.75 per hour / \$30,680.00 annually) to fill the open Landscape Technician II position (PID #5659) at a grade 307 (\$15.93 per hour / \$33,134.40 annually); and

These actions shall to be effective no sooner than September 12, 2022.

CQ8 Request for Leave of Absence - Fairhope Courthouse

[22-1437](#)

At the request of the Budget Director, approve a Leave of Absence for employee #180758 beginning August 31, 2022, 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."

CQ9 Revenue Commission - Appointment of Chief Clerk of Collections

[22-1439](#)

Approve the appointment of Joseph H. Davis to fill the open Chief Clerk of Collections position (#179) at a grade S323 (\$85,000.00 annually) to be effective no sooner than September 12, 2022.

CQ10 Solid Waste Department - Personnel Changes

[22-1440](#)

Take the following actions:

1) Approve the promotion of Rachel Philyaw from the Scale Attendant I position (PID #5253) grade 306 (\$15.80 per hour / \$32,864.00 annually) to fill the open Operations Support Specialist II position (PID #5585) grade 307 (\$17.06 per hour / \$35,484.80 annually), in the Solid Waste Collections Department (51154800); and

2) Approve the employment of Randy Hughes to fill the open Landfill Equipment Operator II (PID #5502) at a grade 308 (\$17.25 per hour / \$35,880.00 annually) in the Magnolia Landfill Department (51054300).

These actions shall be effective no sooner than September 12, 2022.

CQ11 Transfer of One (1) Vehicle from Personnel Department to Commission Administration Department

[22-1438](#)

Approve the transfer of one (1) 2014 Jeep Patriot, VIN #1C4NJRBB7ED707733, from the Personnel Department (10051962) to the Commission Administration Department (10051125) at no charge and authorize the Chairman to execute the Fixed Asset Change Form.

D PRESENTATIONS

Commissioner Ball recognized the following individuals who received awards by the Association of County Commissions of Alabama (ACCA) during the recent ACCA Annual Convention where all 67 Alabama counties are represented:

Commissioner Gruber: 16 years of outstanding and dedicated public service to county government in Alabama.

Baldwin Regional Area Transit Service (BRATS): 2022 award for excellence in "efficiency and innovation in county government urban category" for its on-demand mobile app. Chairman Ball explained the BRATS on-demand mobile app to the Junior

Ambassadors.

Joey Nunnally, County Engineer: Recently selected as Vice President of the Alabama County Engineers Association.

Jerry Green, Audit Compliance Officer with Sales and Use Tax Department: Recently selected as Vice President of County Revenue Officers' Association of Alabama (CROAA).

Chairman Ball said employees are very vital to the Commission and are recognized for their service and achievements.

E PUBLIC HEARINGS

None.

F OTHER STAFF RECOMMENDATIONS

FA ADMINISTRATION

FA1 South Alabama Mega Site Development Project - Engineering Services [22-1390](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to take the following actions:

- 1) Waive Baldwin County Commission Policy #9.10 - Engineering, Environmental Monitoring and Surveying Services; and
- 2) Approve on-call consultant Volkert, Inc. to perform engineering services for the South Alabama Mega Site Development Project with fees not to exceed \$4,232,020.00.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

FA2 Resolution #2022-163 Amending Resolutions #2022-102 and #2022-158 by Eliminating and Terminating Temporary Premium Pay Payments From County Funds for Certain Exempt Employees [22-1456](#)

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner Charles F. Gruber, to adopt Resolution #2022-163 amending Resolutions #2022-102 and #2022-158 to eliminate and terminate Temporary Premium Pay (TPP) payments for certain eligible exempt employees whose total wages and remuneration are greater than, or would become greater than as a result of TPP payments, 150% of the higher of Alabama's or

Baldwin County's (i.e., Daphne-Fairhope-Foley MSA) average annual wage for all occupations as defined by the most recent Bureau of Labor Statistics' (BLS) Occupational Employment and Wage Statistics (BLS Threshold), which at the time of Resolutions #2022-102 and #2022-158 was \$72,165.00, to be effective immediately.

After the motion and second, and before the vote, Commissioner Underwood commented on the TPP payments for exempt employees not being previously approved by the Commission to be paid from the General Fund.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

FA3 Review of Proposed Revisions to Policy #2.9 - Official and Employee County Owned Cars [22-1388](#)

Chairman Ball noted this item was discussed during the work session. No action taken.

FA4 *Certification and Declaration of the Final Results of the Special School Tax Election Held on August 30, 2022, in the District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama [22-1412](#)

Commissioner Ball noted Item FA4 cannot be voted on until the final election results are received at approximately 2:00 p.m. After other agenda items have been voted on, the meeting will be recessed until 2:30 p.m. and reconvened to certify the election results.

FL ENVIRONMENTAL MANAGEMENT

FL1 Magnolia Landfill Cell 9 - Construction Services [22-1445](#)

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

- 1) Waive Baldwin County Commission Policy #9.10 Engineering, Environmental Monitoring and Surveying Services; and
- 2) Approve a purchase order to CDG Engineering and Associates in the amount of \$285,300.00 for the construction quality assurance services during the planned Cell 9 Construction at Magnolia Landfill.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

FP PARKS

FP1 Naming of Bon Secour Park / Boat Launch on County Road 6 [22-1415](#)

Chairman Ball said item FP1 will be brought back to a future meeting.

FP2 Funding for Pedestrian Bridge Connecting Bicentennial Park and Live Oak Landing [22-1422](#)

Chairman Ball said item FP2 will be brought back to a future meeting.

G COMMISSIONER REQUESTS

Terri Graham, Environmental Development Director, gave an overview of the Materials Recovery Facility (MRF) being built near Magnolia Landfill, which will allow materials such as plastic, aluminum, and cardboard/mixed paper to be diverted to be recycled across Baldwin County. The facility will be approximately 60,000 square feet with approximately 10,000 square feet allocated for education and training. Ms. Graham mentioned the possible use of American Rescue Plan Act (ARPA) funds to help build the facility.

Commissioner Underwood explained there will be a mechanized sorter which will separate plastic bottles from aluminum cans and encouraged everyone to come to the Magnolia Landfill once the facility is complete in order to see the process.

Ms. Graham noted the facility will create 30 to 40 new jobs for the community.

H ADDENDA

HA GENERAL

HA1 Request from Mobile Bay National Estuary Program - Letter of Support for NOAA Grant Proposal - Catalyzing a Multi-Communal Approach for Transformative Restoration of the Perdido Watershed [22-1460](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Charles F. Gruber, to authorize the Chairman to sign a letter of support to the Mobile Bay National Estuary Program (MBNEP) for its NOAA Transformational Habitat Restoration and Coastal Resilience Grant Proposal - Catalyzing a Multi-Communal Approach for Transformative Restoration of the Perdido Watershed.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

HA2 Request for Use of Bohemian Park for Filming of Streaming Docu-Series "Love in Fairhope" [22-1417](#)

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Billie Jo Underwood, at the request of the Production Manager for Cartwright Productions LLC, to take the following action related to a filming of the streaming docu-series "Love in Fairhope" at the County-owned Bohemian Park:

Approve the Facility Event Space Rental Agreement between the Baldwin County Commission and Cartwright Productions LLC which authorizes the utilization of the Bohemian Park property. Production will take place between Wednesday, September 7, 2022, and Sunday, September 11, 2022, from 9:00 a.m. until 8:00 p.m. weather dependent.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

HA3 Transfer Highway Department Equipment to Various Highway Department Divisions / Locations [22-1425](#)

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner Billie Jo Underwood, to take the following actions:

1) Approve the transfer of the following equipment from Baldwin County Highway Department Traffic Operations (11153135) to Baldwin County Highway Department Area 200 Maintenance (11153112) at no charge and authorize the Chairman to execute the Fixed Asset Change Forms:

2018 Woods BW15.60 Batwing Mowers
Serial #10006945639001
Serial #10007046851001
Serial #10007046851002; and

2) Approve the transfer of the following equipment from Baldwin County Highway Department Area 200 Maintenance (11153112) to Baldwin County Highway Department Area 100 Maintenance (11153111) at no charge and authorize Chairman to execute the Fixed Asset Change Forms:

2017 Better Built Tilt Trailer VIN #4MNFP2229H1000940
2023 Mack VIN #1M2GR4GC6PM029190
2023 OX Bodies Serial #S220203510058736AL
2023 Mack VIN #1M2GR4GC3PM029177
2023 OX Bodies Serial #S222104510058738AL; and

3) Approve the transfer of the following equipment from Baldwin County Highway Department Area 200 Maintenance (11153112) to Baldwin County Highway Department Area 300 Maintenance (11153113) at no charge and authorize Chairman to execute the Fixed Asset Change Forms:

2023 Mack VIN #1M2GR4GC7PM029179
2023 OX Bodies Serial #S223103510058739AL
2023 Mack VIN #1M2GR4GC6PM029187
2023 OX Bodies Serial #S223103510058735AL

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber
Nay: 0
Absent: 0
Abstain: 0

I SENIOR STAFF REPORT

Ron Cink, Budget Director/Interim County Administrator, said Cian Harrison, Clerk/Treasurer, sent an email on September 3, 2022, regarding possible American Rescue Plan Act (ARPA) projects and asked if the Commissioners wished to discuss this, to which the Commissioners replied yes.

For the benefit of the North Baldwin Chamber Junior Ambassadors Program participants present, Chairman Ball gave an overview of the ARPA funds received from the Federal government by Baldwin County due to the Covid-19 pandemic. Chairman Ball explained there are restrictions on how the money can be used and Ms. Harrison is compiling potential projects to be discussed and reviewed by the Commissioners during the regular meetings.

Ms. Harrison appeared before the Commission and explained her email contained a list of projects along with information requested by ACCA. Ms. Harrison asked the Commissioners to review the projects and let her know if there are any questions or

more information is needed.

Commissioner Gruber asked the lead time on accomplishing these projects, to which Ms. Harrison replied ARPA funds must be obligated by December 31, 2024, and must be spent by December 31, 2026. Ms. Harrison said the Commissioners will be updated throughout the process.

Commissioner Underwood asked about the ventilation systems, maintaining the Board of Education building and providing an office for the Superintendent, to which Ms. Harrison said it is at the Commission's discretion as to which buildings are done. Commissioner Underwood said she feels the Commission needs direction on this.

Commissioner Gruber said the money needs to be put to use and it has been recommended to address the Board of Education building.

The Commissioners and Ms. Harrison discussed having a roundtable discussion with the Board of Education regarding maintenance of the building, the various County buildings that need work, and prioritizing the work to be done.

Ms. Harrison said she has received application and program requirements from ACCA on revenue replacement and regular ARPA funds regarding non-profit organizations.

Chairman Ball asked if non-profits would have to show loss of revenue in order to receive ARPA funds, to which Ms. Harrison replied yes. They would have to show negative impact, the organization must have a public purpose, and if under revenue replacement, the activity must be related to government services. Ms. Harrison asked for direction from the Commissioners regarding identifying non-profit organizations.

Ms. Harrison said there are items previously approved which were not eligible for ARPA funds and she would like to bring those items back to be removed. It was decided Ms. Harrison would communicate any questions to ACCA either by conference call or email following the Commission regular meetings.

Chairman Ball thanked Ms. Harrison for her suggestion to incorporate discussion of the opportunities afforded by the use of ARPA funds into the regular meetings and asked Ms. Harrison to reach out to the Department Heads to ask for input of how to use the available funds.

Commissioner Gruber said he would like to move forward on the ventilation system upgrades for the Probate Office.

Chairman Ball asked that the resolution from ACCA be reviewed by the County Attorney and for it to be added as an agenda item to next regular meeting.

The Commissioners discussed the available funding for storm water activities, adding the storm water work to the project list, and the timeline for the consultant to respond with their recommendations of regional detention.

Joey Nunnally, County Engineer, said the consultant is working on the recommendations. It may be approximately five to six months before there is specific information and parcels identified to be purchased.

J COUNTY ATTORNEY'S REPORT

None.

K PUBLIC COMMENTS

None.

L PRESS QUESTIONS

None.

M COMMISSIONER COMMENTS

The Commissioners provided their closing comments and wished Commissioner Underwood a happy birthday.

RECESS

The Chairman recessed the meeting at 11:00 a.m.

The meeting reconvened at 2:30 p.m.

FA4 *Certification and Declaration of the Final Results of the Special School Tax Election Held on August 30, 2022, in the District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama

[22-1412](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Charles F. Gruber, in order to certify and declare the final, official election results of the Special School Tax Election held on August 30, 2022, in the District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama, including provisional ballots, to take the following actions:

- 1) Adopt Resolution #2022-161 of the Baldwin County Commission which amends Resolution #2022-157 (regarding the adoption, levy, assessment and collection of a Special Three (3) Mill Ad Valorem Tax in the District 8 (Am. 382) School Tax District in Baldwin County, Alabama); and
- 2) Approve the Report of Canvass; and

3) Approve the one-time advertisement of Resolution #2022-161 and the Report of Canvass in the Gulf Coast Newspapers and file and record the same in the Office of the Judge of Probate of Baldwin County, Alabama.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

N ADJOURNMENT

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to adjourn the September 6, 2022, Baldwin County Commission Regular meeting at 2:32 p.m.

The motion passed by the following vote:

Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0