

# Baldwin County Commission

**Baldwin County Commission Regular  
Meeting Minutes  
Tuesday, September 20, 2022  
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 Matthew P. McKenzie  
District 3 – Commissioner Billie Jo Underwood  
District 4 – Commissioner Charles F. Gruber

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**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 8:30 a.m. After the prayer led by Pastor Rick Malugani, Fairhope Christian Church, and the Pledge of Allegiance led by Sheriff Huey Hoss Mack, the Commission transacted the following business to-wit:

### **A ADOPTION OF MINUTES**

August 19, 2022, Special Meeting (Budget Deliberations)

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Billie Jo Underwood, to adopt the minutes of the August 19, 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 26, 2022, Special Meeting (Budget Deliberations)

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Billie Jo Underwood, to adopt the minutes of the August 26, 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 31, 2022, Special Meeting (Budget Deliberations)

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Matthew P. McKenzie, to adopt the minutes of the August 31, 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

September 6, 2022, Regular Meeting

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to adopt the minutes of the September 6, 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**

[22-1488](#)

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Billie Jo Underwood, to pay bills totaling \$4,340,647.21 (four million, three hundred forty thousand, six hundred forty-seven dollars and twenty-one cents).

Of this amount, \$1,251,099.40 (one million, two hundred fifty-one thousand, ninety-nine dollars and forty cents) is payable to the Baldwin County Board of Education and \$92,842.04 (ninety-two thousand, eight hundred forty-two dollars and four 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

[22-1487](#)

No action taken.

## **C CONSENT**

Chairman Ball requested the notations from staff on the index be included when making the motion to approve the Consent Agenda.

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to approve the Consent Agenda including the Replacement Items for CA2, CQ1 and CR4.

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** Lease Agreement with Mr. Frank Bryars for 40 Acres in North Baldwin County

[22-1457](#)

Approve the execution of a Lease Agreement between the Baldwin County Commission and Mr. Frank Bryars, allowing Mr. Bryars the continued use of approximately 40 acres more or less of County property in north Baldwin County for the grazing of cattle and livestock, at a lease price of six hundred dollars (\$600.00) per year. The Lease Agreement shall commence on October 1, 2022, and expire on September 30, 2025, unless sooner terminated as set forth by the Lease Agreement.

**CA2**    \*Resolution #2022-174 - First Amended Tax Abatement Agreement  
between Baldwin County Commission and Novelis Corporation

[22-1500](#)

Take the following actions:

- 1) Adopt Resolution #2022-174 which amends Resolution #2022-147 adopted by the Commission on August 2, 2022, granting a tax abatement to Novelis Corporation; and
- 2) Approve the First Amended Tax Abatement Agreement between the Baldwin County Commission (the "County") and Novelis Corporation (the "Company"), to amend that certain Tax Abatement Agreement dated as of August 2, 2022, between the County and the Company. The effective date of the amendment is August 2, 2022; and
- 3) Forward to the Office of the Revenue Commissioner of Baldwin County and the Office of Probate Judge of Baldwin County, Resolution #2022-174 and associated attachments informing the Probate Judge and Revenue Commissioner of the aforementioned grant of such Amended Tax Abatement; and
- 4) Authorize the Chairman to execute any and all documents deemed necessary to effect such amended abatement.

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

**CD1**    Extension and Amendment of Contract for Professional Services with Via  
Mobility, LLC for Provision of Innovative Software Services

[22-1480](#)

Take the following actions:

- 1) Approve an Extension and Amendment of the Contract for Professional Services between the Baldwin County Commission and Via Mobility, LLC for the provision of innovative micro-transit on-demand software services at a monthly fee of \$14,500.00; and
- 2) Authorize the Chairman to execute the contract and any other related documents.

The term of said contract shall commence October 1, 2022, and shall terminate upon the expiration of twelve (12) months. This extension represents the second of three (3) one-year renewal options of the Contract for Professional Services between the Baldwin County Commission and Via Mobility, LLC.

**CD2**    Federal Transit Administration Grant Award for FY2023 Section 5307  
Funds Apportioned to Daphne - Fairhope, Alabama Urbanized Area

[22-1474](#)

As related to the FY2023 Section 5307 Urban Transportation Grant Program, take the following actions:

- 1) Accept the Grant Agreement identified as Federal Award Identification Number: AL-2022-021-00 in the amount of \$1,016,500.00 in Federal Funding; and
- 2) Authorize the Chairman to execute the Grant Agreement; and
- 3) Authorize the Director of Transportation to execute the award electronically through the required web-based portal "Transit Award Management System (TrAMS) using a personal identification number on behalf of the Baldwin County Commission.

**CD3**    Lease Agreement with Prodissee Pantry for Baldwin Regional Area Transit System (BRATS) Spanish Fort Hub

[22-1465](#)

Take the following actions:

- 1) Approve a Lease Agreement between Baldwin County Commission and Prodissee Pantry for six (6) parking spaces for 3-5 transit vehicles and a small, secure work space located at 9315 Spanish Fort Boulevard, Spanish Fort, Alabama to be utilized as a Baldwin Regional Area Transit System (BRATS) Transit Hub; and
- 2) Authorize the Chairman to execute the Lease Agreement.

The term of the lease shall commence upon execution and shall terminate upon the expiration of three (3) years. The monthly lease amount shall be \$650.00 inclusive of utilities and maintenance.

**CD4**    License Agreement with Cypress Spanish Fort III, LLC for Spanish Fort Transit Hub

[22-1521](#)

Approve the License Agreement between the Baldwin County Commission and Cypress Spanish Fort III, LLC for the Spanish Fort Transit Hub at no cost to the County.

The term of the three (3) year agreement shall commence October 1, 2022, and terminate September 30, 2025.

**CE     BUDGET/PURCHASING**

**CE1**    Competitive Bid #WG22-21 - Purchase of Two (2) New Chevrolet 2500HD Truck Chassis or Equivalent for the Baldwin County Commission

[22-1522](#)

Cancel the Purchase Order to Joe Bullard Chevrolet for the purchase of two (2) new Chevrolet 2500HD Truck Chassis and authorize the Purchasing Director to utilize the State of Alabama Contract or a National Contract to purchase the trucks.

**CE2**    Competitive Bid #WG22-37C - Provision of Ready-mix Concrete for the Baldwin County Commission

[22-1511](#)

- 1) Authorize the Purchasing Director to re-bid the Provision of Ready-mix Concrete; 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.

Extend the Contract for Competitive Bid #WG20-51A - Provision of Roadside Litter Collection Services from County Right-of-ways within the Unincorporated Areas of Baldwin County, Alabama with Creek Clean, LLC, for an additional twelve (12) months at the same prices and terms stated in the bid specifications as awarded on November 17, 2020. The Contract extension will expire on November 17, 2023.

Award Bid #WG22-59 - Provision of Baldwin County Cigarette Stamps to the lowest bidder, Ashton Potter (USA) Ltd., as follows:

**CE5** Competitive Bid #WG22-60A - Provision of Fiber Optic Network - 22-1472  
Maintenance and Locates for the Baldwin County Commission

- 1) Authorize the Purchasing Director to re-bid the Provision of Fiber Optic Network - Maintenance and Locates; 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.

Award the bid for the Perdido Bay Park Pier Restoration project to the lowest bidder, Black Diamond Construction, LLC, in the Bid Amount of \$46,502.00; Construction Time: 60 working days; and authorize the Chairman to execute the Contract.

**CE7** Competitive Bid #WG22-68 - Provision of Pest Control Services for Baldwin County Corrections Center

[22-1493](#)

Take the following actions:

1) Rescind the award made on August 2, 2022, Item No. BE6 for Bid #WG22-49- Provision of Pest Control Services to Guardian Pest Services, Inc. d/b/a Knox Pest Control in the amount of \$165.00 per month for the Baldwin County Corrections Center; and

2) Approve the specifications and authorize the Purchasing Director to place a competitive bid for the Provision of Pest Control Services for the Baldwin County Corrections Center located in Bay Minette and 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** Probate Office - Computer Software Support Agreement and Addendum with Delta Computer Systems, Inc.

[22-1485](#)

Related to the Probate Office Computer Software Agreement, take the following action:

Approve and authorize the Chairman to execute the Computer Software Support Agreement and Addendum with Delta Computer Systems, Inc., with a new monthly rate in the amount of \$8,145.00, effective October 1, 2022. This agreement shall remain in effect for one (1) year and automatically renew annually for up to three (3) years.

**CE9** Project No. HW22145 - Repairs to Baldwin Beach Express (BBE) Southbound Bridge over Rock Creek Located in Robertsedale, Alabama for the Baldwin County Commission

[22-1464](#)

Award the bid for Project No. HW22145 - Repairs to Baldwin Beach Express (BBE) Southbound Bridge over Rock Creek to the lowest bidder, McInnis Construction, LLC, in the bid amount of \$137,757.00; Completion Time: 30 working days; and authorize the Chairman to execute the Contract.

**CE10** Quotes for Repairs to Josephine Park Boardwalk Located in Josephine, Alabama for the Baldwin County Commission

[22-1459](#)

Approve Change Order #1 in the amount of \$2,680.00 with Harris and Company, LLC, on the repairs to the Josephine Park Boardwalk located in Josephine, Alabama and

authorize the Chairman to execute the Change Order.

**CE11** Rental of Four (4) Copy Machines for Baldwin County Building Inspection Department and Baldwin County Sheriff's Offices

[22-1475](#)

Approve and authorize the Chairman to execute the rental agreements with Sharp Electronics Corporation for the rental of four (4) new copy / scanner / fax machines off the State of Alabama bid for thirty-six (36) months effective the date of execution as follows:

Location: Baldwin County Building Inspection Department - Robertsdale

Model: BP-70C55

Price: \$213.94 / month

Excess Charge / copy: \$0.0054 B/W & \$0.0400 Color

Location: Sheriff's Office - Foley

Model: MX-M6071S

Price: \$186.02 / month

Excess Charge / copy: \$0.0049 / BW

Location: Sheriff's Office - Fairhope

Model: MX-M6071S

Price: \$182.51 / month

Excess Charge / copy: \$0.0049 / BW

Location: Sheriff's Office - Narcotics Division - Robertsdale

Model: MX-M6071S

Price: \$186.02 / month

Excess Charge / copy: \$0.0049 / BW

**CE12** Request for Proposals (RFP) for Temporary Clerical and Labor Services for the Baldwin County Commission

[22-1520](#)

Award the Request for Proposals (RFP) for Temporary Clerical and Labor Services to the lowest responsible bidder, Blue Arbor, Inc., as per the Fee Schedule and authorize the Chairman to execute the Contract. (Contract is effective for thirty-six (36) months upon full execution.)

**CE13** Sale of Gas Pump on GovDeals.com

[22-1448](#)

Authorize the sale of the following Gas Pump from Budget and Purchasing Department by online auction on GovDeals.com:

One (1) Gas Pump - Make, Model and Serial Number are unknown.

**CE14** Resolution #2022-168 FY2022 Budget Amendment - ARPA and ERAP

[22-1529](#)

Adopt Resolution #2022-168 amending the Fiscal Year 2022 Budget (Resolution #2021-127 and #2021-128, adopted September 21, 2021) to authorize the allocation of American Rescue Plan Act (ARPA) and Emergency Rental Assistance Program (ERAP) funds.

**CE15** Resolution #2022-169 FY2022 Budget Amendment - TPP Program

[22-1505](#)

Adopt Resolution #2022-169 amending the Fiscal Year 2022 Budget (Resolution #2021-127 and #2021-128, adopted September 21, 2021) to recognize Temporary Premium Pay Program (TPP) payments made over the American Rescue Plan Act (ARPA) threshold.

**CE16** Resolution #2022-171 FY2022 Budget Amendment - MegaSite

[22-1504](#)

Adopt Resolution #2022-171 amending the Fiscal Year 2022 Budget (Resolution #2021-127 and #2021-128, adopted September 21, 2021) to establish a funding source for design and engineering for the MegaSite road improvements.

**CE17** Appropriation Agreements Aligned to the Baldwin County Fiscal Year 2022-2023 Budget

[22-1469](#)

As related to, and as authorized by, the Baldwin County Fiscal Year 2022-2023 Budget (Resolution #2022-165; Resolution #2022-166), execute Agreements with the below indicated entities to appropriate County funds for activities benefiting a myriad of public purposes as set forth within each Agreement, respectively, said entities as follows:

- 1) Adams and Reese, LLP (not to exceed \$72,000.00)
- 2) Alabama Coastal Foundation (\$5,000.00)
- 3) Alabama Extension Service/Alabama Cooperative Extension System (\$53,854.00)
- 4) Baldwin County Economic Development Alliance (\$467,000.00)
- 5) Baldwin County Library Cooperative (\$100,000.00)
- 6) Baldwin County Soil and Water Conservation District (\$75,500.00)
- 7) Baldwin Pops (\$5,000.00)
- 8) Bay Minette Rotary Club (\$500.00)
- 9) Central Baldwin Chamber of Commerce (\$5,000.00)

- 10) Coastal Alabama Business Chamber (\$5,000.00)
- 11) Dream Center (\$10,000.00)
- 12) Eastern Shore Chamber of Commerce (\$5,000.00)
- 13) Mobile Bay National Estuary Program (\$75,000.00)
- 14) North Baldwin Animal Shelter (\$20,000.00)
- 15) North Baldwin Chamber of Commerce (\$5,000.00)
- 16) South Baldwin Chamber of Commerce (not to exceed \$55,000.00)
- 17) Southwest Alabama Workforce Development Council (\$25,000.00)
- 18) USS Alabama Battleship Commission (\$10,000.00)
- 19) Van Scoyoc Associates, Inc. (not to exceed \$114,000.00)

The term, respectively, of each Agreement shall commence October 1, 2022, and expire September 30, 2023, and may be terminated per the parameters as set forth therein, respectively.

**CE18**   Resolution #2022-164 - Appropriation of Commission Discretionary Funds for the USS Alabama Battleship Commission      [22-1471](#)

Adopt Resolution #2022-164 of the Baldwin County Commission, which appropriates \$10,000.00 from the "Commission Discretionary Fund," in the Baldwin County Fiscal Year 2022-2023 Budget, to the USS Alabama Battleship Commission.

**CE19**   Sales and Use Tax Department - Computer Software Support Agreement and Addendum with Delta Computer Systems, Inc.      [22-1482](#)

Related to the Sales & Use Tax collection software, take the following action:  
Approve and authorize the Chairman to execute the Computer Software Support Agreement and Addendum with Delta Computer Systems, Inc., with a new monthly rate in the amount of \$1,060.00, effective October 1, 2022. This agreement shall remain in effect for one (1) year and automatically renew annually for up to three (3) years.

**CF      BUILDING INSPECTION**

**CF1**   Building Inspection Department - Computer Software Support Agreement and Addendum with Delta Computer Systems, Inc.      [22-1458](#)

Related to the Building Inspection Department Computer Software Agreement, take the following action:

Approve and authorize the Chairman to execute the Computer Software Support Agreement and Addendum with Delta Computer Systems, Inc., with a new monthly rate in the amount of \$264.16, effective October 1, 2022. This agreement shall remain in effect for one (1) year and automatically renew annually for up to three (3) years.

## **CJ ELECTED OFFICIALS**

**CJ1** Baldwin County Coroner's Office - Memorandums of Understanding with Hughes Funeral Home and Mack Funeral Home [22-1401](#)

Take the following actions to provide storage of bodies during a mass fatality or due to mechanical issues that could result in decomposition of persons:

- 1) Approve the Memorandum of Understanding between the Baldwin County Commission (Coroner's Office) and Hughes Funeral Home; and
- 2) Approve the Memorandum of Understanding between the Baldwin County Commission (Coroner's Office) and Mack Funeral Home.

The terms for each Memorandum of Understanding shall be for a period of 24 months, commencing on October 1, 2022, and expiring on October 1, 2024, and may be extended upon written mutual agreement of both parties.

## **CL ENVIRONMENTAL MANAGEMENT**

**CL1** Recycle Bin - Lillian Volunteer Fire Department [22-1507](#)

At the request of Nick Dewhurst, Fire Chief of Lillian Volunteer Fire Department, take the following actions:

- 1) Approve the removal of the County owned and maintained recycle bin, located at Lillian Volunteer Fire Department, 11331 County Road 91, Lillian, Alabama 36549 due to continuous dumping of materials other than recyclables; and
- 2) Approve the changes to the recycle map.

## **CM FINANCE AND ACCOUNTING**

**CM1** Allocation of American Rescue Plan Act (ARPA) Funds for COVID-19 Self-Funded Health Insurance Claims and Medical Leave Expenses [22-1509](#)

Approve the allocation of ARPA funds in the amount of \$862,077.30 to cover prior COVID-19 related expenses for Symbol Health Clinic claims, Blue Cross Blue Shield of Alabama/MedOne healthcare claims, and family and medical leave through June 30,

2022.

**CM2** Allocation of American Rescue Plan Act (ARPA) Funds for Ventilation System Improvements in Bay Minette Probate Office

[22-1503](#)

Adopt Resolution 2022-170 allocating \$947,307.00 in American Rescue Plan Act (ARPA) funds to provide ventilation system improvements to mitigate the spread of COVID-19 at the Bay Minette Probate Office located at 220 Courthouse Square, Bay Minette, Alabama.

**CM3** Rescind Previous Commission Action Related to Allocation of American Rescue Plan Act (ARPA) Funds for Specific Projects Determined to be Ineligible

[22-1510](#)

Rescind action taken by the Baldwin County Commission, during its regularly scheduled meeting on June 15, 2021, more specifically a portion of the staff recommendation regarding Agenda Item BM1, which approved the immediate allocation of ARPA projects based on the internal advisory committee recommendations as follows:

COA Main Office COVID Upgrades Estimated Cost \$11,875.00  
Baldwin Together Case Manager Estimated Cost \$25,000.00  
BCSO Hazard Pay and Law Enforcement Estimated Cost \$400,000.00

10% Contingency Estimated Cost (prorated for the above projects) \$43,687.50  
10% Administrative Costs Estimated Cost (prorated for the above projects) \$43,687.50

Total Estimated Cost \$524,250.00

All other projects approved under Agenda Item BM1 remain as previously approved.

**CN HIGHWAY**

**CN1** License Agreement No. 22013 - Perdido Street - Right-of-Way

[22-1528](#)

Take the following actions:

1) Approve License Agreement No. 22013 permitting Baldwin County Sewer Service c/o Richie Barnett to install a 2-inch sewer force main on the east side of Perdido Street and a 1.5-inch service at 12181 Perdido Street. (The term of this agreement shall commence on the date of full execution. License for installation shall terminate at 11:59 p.m. on September 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 #22269-S.

**CN2** Resolution #2022-167 - Annexation and Transfer of 2nd Street, 3rd Street, Ledyard Street, Taylor Street, Chapman Street, and Adams Street (aka

[22-1492](#)

“Fairhope Roads”) to the City of Fairhope

Adopt Resolution #2022-167 authorizing annexation and transfer of ownership, maintenance, and responsibility of portions of 2nd Street, 3rd Street, Ledyard Street, Taylor Street, Chapman Street, and Adams Street (aka Fairhope Roads) to the City of Fairhope.

**CO JUVENILE DETENTION**

**CO1** Alabama Department of Youth Services Long Term Detention Subsidy Contract

[22-1452](#)

Take the following actions:

- 1) Approve Alabama Department of Youth Services Long Term Detention Subsidy Contract between the Baldwin County Commission and the Alabama Department of Youth Services, which provides Baldwin County \$14,000.00 to plan for detention bed use for the juvenile court of Baldwin County. The term of this contract will be from October 1, 2022, through September 30, 2023, and is automatically renewed upon mutual agreement of each party; and
- 2) Authorize the Chairman to sign the contract and any related documents.

**CQ PERSONNEL**

**CQ1** \*Approval of Updated Organizational Charts and Position Descriptions

[22-1519](#)

Approve the following to coincide with the approval of the FY2022-2023 Budget changes:

- 1) Updated organizational chart for the Commission Administration; and
- 2) Updated position description for the Administrative Support Specialist III for the Commission Administration Department; and
- 3) Updated organizational chart for the Animal Shelter; and
- 4) Updated position description for Animal Shelter Manager and Animal Control Officer; and
- 5) Updated organizational chart for the Archives and History Department; and
- 6) Position descriptions for the Archives Administrative Support Specialist III (Office), Archives Specialist, and Director of Archives and History/Special Historic Projects Coordinator; and
- 7) Updated organizational chart for BRATS Department; and

- 8) Position description for BRATS Mechanic II; and
- 9) Updated organizational chart for the Building Maintenance Department; and
- 10) Position description for the Building Maintenance Engineer I; and
- 11) Updated organizational chart for the Citizen Service Center; and
- 12) Position description for the Customer Relationship Manager; and
- 13) Updated organizational chart for the Council on Aging; and
- 14) Position description for the Council on Aging Coordinator; and
- 15) Updated organizational chart for the Planning and Zoning Department; and
- 16) Position descriptions for the Natural Resource Planner, Planning Technician I, Planning Technician II, and Planning Technician III; and
- 17) Updated organizational chart for the Sales, Use, and License Tax Department; and
- 18) Position descriptions for the Sales, Use, and License Tax Coordinator, Chief Deputy License Inspector, Senior Audit Compliance Officer, and Revenue Clerk I; and
- 19) Updated organizational chart for the Coroner's Office; and
- 20) Position descriptions for Chief Deputy Coroner, Death Investigator I, and Death Investigator II; and
- 21) Updated organizational chart for the Building Inspection Department; and
- 22) Position description for Permit Technician I and Bookkeeper II; and
- 23) Updated organizational chart for the CIS Department; and
- 24) Updated organizational chart for the Parks Department; and
- 25) Position description for the Parks Mechanic II position; and
- 26) Updated organizational chart for the Probate Office; and
- 27) Updated organizational chart for the Revenue Commission/Re-Appraisal; and
- 28) Position descriptions for Assistant Administrator of Personal Property, Personal Property Appraiser I, Personal Property Appraiser II, Personal Property Appraiser III,

Personal Property Appraiser Trainee, Personal Property Specialist, and Real Property Specialist I; and

29) Updated organizational chart for the Highway Department; and

30) Position descriptions for Highway Mechanic II (Maintenance), Mechanic II (Traffic Operations), Operator Technician I, Operator Technician I (BBE/Paving), Operator Technician II, Operator Technician II (BBE/Paving), Operator Technician III, Operator Technician III (BBE/Paving), Operator Technician IV, Operator Technician IV (BBE/Paving), Operator Technician IV/CDL Instructor, Operator Technician Trainee, Permit/Subdivision Manager, Traffic Control Technician I (Stripe), Traffic Control Technician II (Sign), Traffic Control Technician II (Stripe), Traffic Control Technician III (Sign), Traffic Control Technician III (Stripe), Traffic Control Technician IV (Signal), Traffic Control Technician IV (Stripe), Assistant Traffic Operations Manager, Geospatial Technician, Operations Support Specialist II (Construction), Operations Support Specialist III (Accounting), and Operations Support Manager (Accounting); and

31) Updated organizational chart for the Solid Waste Department; and

32) Position descriptions for Assistant Collections Supervisor, Assistant Landfill Supervisor, Collections Supervisor, Environmental Projects Manager, Landfill Equipment Operator I, Landfill Equipment Operator II (Transfer), Landfill Equipment Operator II, Landfill Equipment Operator III, Landfill Equipment Operator III (Transfer), Landfill Equipment Operator IV, Landfill Equipment Operator IV (Transfer), Landfill Supervisor, Master Mechanic, Mechanic I, Mechanic II, Operations Support Coordinator/Trainer, Solid Waste Driver I, Solid Waste Driver II, Solid Waste Driver III, Solid Waste Technician, and Transfer Station Supervisor.

**CQ2** Highway Department (Bay Minette) - Personnel Changes

[22-1512](#)

Take the following actions:

- 1) Approve the employment of Timothy Wilson to fill the open Operator Technician I position (#4046) at a grade 308 (\$16.42 per hour / \$34,153.60 annually); and
- 2) Approve the employment of Gavin Venema to fill the open Operator Technician Trainee position (#634) at a grade 306 (\$14.90 per hour / \$30,992.00 annually).

These actions shall be effective no sooner than September 26, 2022.

**CQ3** Juvenile Detention Center - Personnel Changes

[22-1513](#)

Take the following actions:

- 1) Approve the employment of Shyheim Munnerlyn to fill the Detention Worker I position

(PID #5604) at a grade 308 (\$16.42 per hour / \$34,153.60 annually); and

2) Approve the promotion of Anthony Griffin from the Detention Worker I position (PID #466) grade 308 (\$17.52 per hour / \$36,441.60 annually) to fill the open Detention Worker II position (PID #5340) at a grade 311 (\$19.38 per hour / \$40,310.40 annually); and

3) Approve the promotion of Robert D. Brown from the Archives Specialist position (PID #5216) grade 306 (\$18.90 per hour / \$39,312.00 annually) to fill the open Detention Worker I position (PID #466) at a grade 308 (\$20.41 per hour / \$42,452.80 annually).

These actions shall be effective no sooner than September 26, 2022.

**CQ4** Personnel Department - Health and Dental Insurance Rates for 2023

[22-1515](#)

Approve the Health and Dental Insurance rates for 2023 to coincide with the Baldwin County Employee Health and Wellness Incentive Program Policy.

**CQ5** Personnel Department - Safety Incentive Discount Program for ACCA Self-Insurance Fund

[22-1517](#)

Authorize the Chairman to sign the Safety Incentive Discount Program Application.

**CQ6** Revenue Commission - Personnel Changes

[22-1516](#)

Take the following actions:

1) Approve the employment of Sara Earls to fill the open Collections Support Technician I position (PID #5672) at a grade 305 (\$14.19 per hour / \$29,515.20 annually); and

2) Approve the employment of Malary White to fill the open Collections Support Technician I position (PID #5602) at a grade 305 (\$14.19 per hour / \$29,515.20 annually).

These actions shall be effective no sooner than September 26, 2022.

**CR PLANNING AND ZONING**

**CR1** Baldwin County Commission Board of Adjustment #2 - Board Appointment(s)

[22-1455](#)

Related to the Baldwin County Commission Board of Adjustment #2, take the following action:

Appoint Ms. Tracey L. Winn-Gambill as an alternate member (Planning District 22

Designee) for a pro-rata reduced three (3) year term to fill the vacant place seat, said term commencing September 20, 2022, and expiring March 16, 2025.

**CR2** Baldwin County Environmental Advisory Committee - Board Appointment(s)

[22-1494](#)

Related to the Baldwin County Environmental Advisory Committee (EAC), take the following actions:

- 1) Accept the resignation of Mr. Perry Lamb as a regular member (District 1 Designee), effective June 13, 2022, and thank Mr. Lamb for his prior civic service as a member of the Committee; and
- 2) Appoint Mr. Steve Barnett, (District 1 Designee) to fill the place seat formerly held by Mr. Perry Lamb for a pro-rata reduced three (3) year term, said term effective September 20, 2022, and expiring on May 4, 2024; and
- 3) Accept the resignation of Mr. Jason Padgett as a regular member (District 1 Designee), effective February 8, 2022, and thank Mr. Padgett for his prior civic service as a member of the Committee; and
- 3) Appoint Ms. Vaughn Millner, (District 1 Designee) to fill the place seat formerly held by Mr. Jason Padgett for a pro-rata reduced three (3) year term, said term effective September 20, 2022, and expiring on May 4, 2024; and
- 4) Appoint Ms. Casey Fulford, as an At-large member to fill the place seat formerly held by Ms. Vaughn Millner for a pro-rata reduced three (3) year term, said term effective September 20, 2022, and expiring on August 3, 2024.

**CR3** Proposed Planning (Zoning) District 14 - Acceptance of Notice of Intent to Request Planning and Zoning Referendum, Determination Regarding Infeasibility of Using Precinct Boundaries, and Acceptance of District Boundaries

[22-1526](#)

Pursuant to Alabama Code §45-2-261.07, take the following actions:

- 1) Accept the notice of intent to request a referendum for Planning and Zoning purposes for that portion of Planning (Zoning) District 14 east of Fish River (that was not included in the proposed Planning Districts 38 and 39); and
- 2) Make a determination that it is not feasible to utilize the Voting Precinct boundaries of precinct 30; and
- 3) Accept the Planning (Zoning) District 14 boundaries subject to a subsequent affirmative referendum vote pursuant to Alabama Code §45-2-261.07.

Pursuant to Alabama Code §45-2-261.07, take the following actions:

- 1) Adopt Resolution #2022-172 which certifies the accuracy of the petition for the Proposed Planning (Zoning) District 38; and
- 2) Instruct the Judge of Probate to provide a Zoning Election for Proposed Planning (Zoning) District 38, to be held no later than December 20, 2022.

## **D       PRESENTATIONS**

### **DA     GENERAL**

**DA1**    Proclamation - RIDEYELLOW DAY on October 1, 2022

**22-1450**

After Ron Cink, Budget Director/Interim County Administrator read the Proclamation proclaiming October 1, 2022, as "RIDEYELLOW DAY" in Baldwin County, Alabama, Chairman Ball presented the Proclamation to Mr. Kenny Breal, President of North Baldwin Infirmary (NBI), and Ms. Devin Clarke, Manager, NBI Fitness and Rehabilitation Services.

Ms. Clarke thanked the Commission and the community for their support.

The Commissioners thanked Mr. Breal and Ms. Clarke for their efforts to raise awareness of childhood cancer. Chairman Ball said he is looking forward to the event which will be held in Bay Minette.

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Charles F. Gruber, to adopt a Proclamation proclaiming October 1, 2022, as "RIDEYELLOW DAY" in 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

**DA2**    Proclamation - Archives Month in October 2022

**22-1451**

After Commissioner Underwood read the Proclamation which proclaims October 2022 as "Archives Month" in Baldwin County, Alabama, Archives Specialists Bradley Helms and Annette Bell appeared before the Commission and thanked the Commission for the Proclamation recognizing Archives Month.

Felisha Anderson, Director of Archives and History/Special Historic Projects Coordinator, appeared before the Commission to accept the Proclamation. Ms. Anderson said the Archives and History Department collects, documents, and preserves Baldwin County's history and serves as the memory bank of the County and as evidence, transparency and accountability for County departments.

Ms. Anderson encouraged the public to visit the Archives and History Department to learn more about the profession as well as historical sites throughout the County. Ms. Anderson gave an overview of the following upcoming events planned in observance of Archives Month:

- Olde Time Days to be held October 1, 2022 from 9:00 a.m. to 4:00 p.m. at Bicentennial Park in Stockton, Alabama
- The Reenactment of the "Removal of the Baldwin County Seat from Daphne to Bay Minette" event to be held October 6, 2022, from 5:00 p.m. to 7:30 p.m. at the Courthouse in Bay Minette, Alabama
- Historic Sites Scavenger Hunt to be held October 22, 2022, from 1:00 p.m. to 3:00 p.m. at the Courthouse in Bay Minette

Ms. Anderson encouraged everyone to attend the events and showed a video presentation of past events.

The Commissioners thanked Ms. Anderson for the presentation, the work the Archives staff does, and the success of prior events. The Commissioners commented on the importance of preserving Baldwin County's history.

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to adopt a Proclamation which proclaims October 2022 as "Archives Month" in Baldwin County, Alabama.

The motion passed by the following vote:

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

**DA3**    \*Adoption of the Baldwin County Fiscal Year 2022-2023 Budget

[22-1467](#)

Ron Cink, Budget Director/Interim County Administrator, appeared before the Commission and presented the Baldwin County 2023 Fiscal Year Budget.

The Commissioners thanked Mr. Cink and his staff for their work in compiling the

budget and Commissioner Gruber for his term as Chairman of the Finance and Taxation Division.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Matthew P. McKenzie, to adopt Resolution #2022-166 of the Baldwin County Commission, which, pursuant to Amendment No. 750 and Amendment No. 772 to the Constitution of Alabama 1901 and related to the promotion of local economic and industrial development, provides for respective determinations by the Baldwin County Commission that a variety of expenditures of public funds, as relates to a myriad of appropriations authorized by the Baldwin County Fiscal Year 2022-2023 Budget, will respectively, serve valid and sufficient public purposes.

After the motion and second, and before the vote, Commissioner Underwood said she would like to see the breakdown of the changes made to training and travel as discussed during the September 19, 2022, work session.

Mr. Cink said the changes are included in the overall budget resolution.

Chairman Ball asked Brian Peacock, CIS Director, to display the changes to the training budget discussed during the September 19, 2022, work session. Chairman Ball asked if any other changes were made, to which Mr. Cink replied yes. There are additional adjustments needed for the Emergency Management Agency (EMA) and the Board of Registrars. Chairman Ball asked Mr. Peacock to include the additional adjustments for EMA and the Board of Registrars in the presentation.

The Commissioners discussed the reduction in the travel and training budget, and verified that all changes had been entered in the budget as previously discussed.

The motion passed by the following vote:

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

Motion by Commissioner Charles F. Gruber to adopt Resolution #2022-165 of the Baldwin County Commission which adopts the Baldwin County Fiscal Year 2022-2023 Budget and approve the attached Decision Item Lists for Fiscal Year 2023 that correlate with Resolution #2022-165.

After the motion and before the second, Chairman Ball noted the Replacement Attachment for Item DA3 includes revisions to travel, training, and personnel for the Commission as well as the Sheriff's Office.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Matthew P. McKenzie, to adopt Resolution #2022-165 of the Baldwin County Commission which adopts the Baldwin County Fiscal Year 2022-2023 Budget and approve the attached Decision Item Lists for Fiscal Year 2023 that correlate with Resolution #2022-165.

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

## **E PUBLIC HEARINGS**

### **EF BUILDING INSPECTION**

**EF1** Case No. UNA22-4 - Unsafe Nuisance Abatement - 24217 County Road 87, Robertsedale, Alabama [22-1421](#)

Eddie Harper, Building Official, appeared before the Commission and said Case No. UNA22-4 has been resolved to the satisfaction of the Building Department and there is no need to adopt the resolution.

Brad Hicks, County Attorney, said there is no need to open the public hearing. The nuisance has been abated and no vote is necessary.

### **ER PLANNING AND ZONING**

**ER1** Case No. Z22-14 - Lazzari Property Rezoning [22-1499](#)

Cory Rhodes, Planner, appeared before the Commission and provided background information on the subject property.

Chairman Ball opened the public hearing at 9:32 a.m. and 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 9:32 a.m.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Billie Jo Underwood, to adopt Resolution #2022-153, which approves Case Z22-14, Lazzari Property Rezoning, as it pertains to the rezoning of 12 acres, more or less, as located in Planning (Zoning) District 12, from RSF-2, Single Family District, to RA, Rural Agricultural District.

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

**ER2** Case No. Z22-15 - God is Bidden Property Rezoning

[22-1476](#)

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

Chairman Ball opened the public hearing at 9:35 a.m. and asked if there is anyone present who wishes to speak.

Commissioner Underwood asked for clarification of whether the property is within the City of Orange Beach police jurisdiction, to which Sheriff Mack confirmed it is in Orange Beach's police jurisdiction and is patrolled by the City. Commissioner Underwood asked if the property owner desired to be part of the City of Orange Beach or the county.

Mr. Stuart Povall with Development Design Studio, appeared before the Commission on behalf of the property owner and said he feels the owner may be interested in that if the surrounding property owners were willing.

Commissioner Underwood said she feels high density developments in unincorporated areas of the county may pose potential future problems and asked if the Planning Commission decision was unanimous, to which Ms. Boykin said there were two votes against it due to concerns with high density.

There being no further requests to address the Commission, Chairman Ball closed the public hearing at 9:38 a.m.

Motion by Commissioner Charles F. Gruber, seconded by Commissioner Billie Jo Underwood, to adopt Resolution #2022-154, which approves Case Z22-15, God is Bidden Property Rezoning, as it pertains to the rezoning of 4.6 acres, more or less, as located in Planning (Zoning) District 30, from RA, Rural Agriculture District to HDR, High Density Residential District.

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

## **F OTHER STAFF RECOMMENDATIONS**

### **FA ADMINISTRATION**

**FA1** Purchase of Real Property Adjacent to Baldwin County Revenue Commission Building in Bay Minette, Alabama [22-1530](#)

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner Charles F. Gruber, to take the following actions:

- 1) Adopt Resolution #2022-173 which authorizes the Baldwin County Commission to purchase real property located adjacent to the Baldwin County owned Revenue Commission Building in Bay Minette, Alabama, specifically identified as Parcel No. 05-23-05-21-4-000-003.001, PPIN 39814; and
- 2) Approve the Unimproved Lots/Land Purchase Agreement between the Baldwin County Commission and Dorothy Gayle McMillan, Trustee for Stephen and Gayle McMillan Revocable Trust, for the County to purchase the property in the amount of \$100,000; and
- 3) Authorize the Chairman to execute the Purchase Agreement on behalf of the County and to take such other actions on behalf of the County in connection with the property, including, but not limited to, the execution of additional documents to purchase the property, and to do all things necessary and required by the Purchase Agreement; and
- 4) Make the Disclosure of Information on Purchase of Real Property pursuant to Alabama Act #2014-133 part of the record for the September 20, 2022, Baldwin County Commission 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

**FA2** Review of Proposed Revisions to Policy #2.9 - Official and Employee County Owned Cars [22-1486](#)

Chairman Ball said no item is moving forward at this time, the item will be brought back to a future meeting.

### **FM FINANCE AND ACCOUNTING**

**FM1** American Rescue Plan Act (ARPA) Program Update [22-1484](#)

Chairman Ball said Item FM1 was discussed during the September 19, 2022, work

session meeting. No action taken.

## **FQ PERSONNEL**

### **FQ1 Discussion of 2023 Christmas Holidays for County Employees**

[22-1514](#)

Chairman Ball said Item FQ1 was discussed during the September 19, 2022, work session meeting.

Chairman Ball noted if the additional Christmas holiday is approved, there would be a need for security in place at all 3 locations. The Sheriff will be kept informed.

Sheriff Mack said there is typically a slight deviation in holiday schedules due to the court system which is taken into account.

No action taken.

## **G COMMISSIONER REQUESTS**

None.

## **H ADDENDA**

### **HA GENERAL**

#### **HA1 Request from Local Emergency Planning Committee for Purchase of a Digital Pressure Test Kit**

[22-1428](#)

Motion by Commissioner Billie Jo Underwood, seconded by Commissioner Matthew P. McKenzie, to approve the request for Baldwin County Commission's Emergency Management Agency (EMA) to purchase a Kappler Automated Digital Pressure Kit for the Local Emergency Planning Committee (LEPC) at a cost not to exceed \$4,199.00, to be used throughout Baldwin County to test hazardous materials consistently and accurately.

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, reminded the Commissioners to review the draft of the Divisional Resolution between now and November.

Chairman Ball explained the Divisional Resolution sets up the schedule and rotation of

meetings for the next four years and noted Department Head meetings will be added to the document.

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

None.

## **K PUBLIC COMMENTS**

Mr. Frances Ripp, author of the Ripp Report, appeared before the Commission and commented on recent incidents involving the police written about in Lagniappe Magazine and the Ripp Report. Mr. Ripp said he feels they are dismissed by protocol within the police department. Mr. Ripp commented on the financial impact of previous cases, the cost of cameras purchased by the Commission for the Sheriff's Office, the public being denied the footage, and the issue of public safety. Mr. Ripp suggested if the taxpayers are paying for cameras, the public should be allowed to view the camera footage or the money used to purchase the cameras should be returned and used for another purpose. Mr. Ripp requested the case of Mr. O.J. French be handed over to someone outside the County to be looked into.

## **L PRESS QUESTIONS**

Mr. Kyle Hamrick with Lagniappe Magazine asked if there are costs associated with Item CJ1 - Baldwin County Coroner's Office - Memorandums of Understanding with Hughes Funeral Home and Mack Funeral Home, to which Chairman Ball replied there is no cost to the County. Chairman Ball said there are only a couple of funeral homes in the area that have storage capacity. The Coroner's Office utilizes the services of these funeral homes.

Brad Hicks, County Attorney, said the MOU is aimed at mass casualty events, but these may be better questions for the Coroner. Mr. Hicks read the objective of the MOU which confirmed the MOU is to establish policies and procedures to provide storage of bodies during a mass fatality or due to mechanical issues that could result in decomposition of persons and to maintain services that meet or exceed the applicable standards.

## **M COMMISSIONER COMMENTS**

The Commissioners provided their closing comments.

Chairman Ball congratulated Commissioner Underwood for being awarded "Outstanding Elected Official" during the 67th annual meeting of the Alabama Association of Conservation Districts (AACD) held on September 15, 2022 for Area 6 and reminded the public of the upcoming Light in the Darkness Suicide Awareness Walk to be held at 7:00 p.m. on Thursday, September 29, 2022, at Kids Park in Bay Minette, Alabama.

Commissioner Underwood said she was humbled to receive the Outstanding Elected Official award and commented on how important it is to be good stewards of soil and water. Commissioner Underwood said Representative Gaston from Mobile County and

Representatives Shiver and Faust from Baldwin County were also honored during the meeting. They, along with Governor Kay Ivey increased the budget for soil and water conservation last year to help address problems with invasive wild hogs, erosion, and to educate citizens on the governmental entity's responsibility versus the private landowner's responsibility as it pertains to flooding, erosion, and clogged culverts.

## **N     ADJOURNMENT**

Motion by Commissioner Matthew P. McKenzie, seconded by Commissioner Billie Jo Underwood, to adjourn the September 20, 2022, Regular Meeting at 10:09 a.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

A handwritten signature in black ink, appearing to be "Matthew P. McKenzie", written in a cursive, stylized script.