



Baldwin County Commission Work Session  
Meeting Minutes

Monday, August 15, 2022  
8:30 AM

Baldwin County Fairhope Satellite Courthouse, County Commission Conference Room  
1100 Fairhope Avenue, Fairhope, Alabama 36532

---

**Commissioners present:**

District 1 – Commissioner James E. Ball  
District 2 – Commissioner Matthew P. McKenzie  
District 3 – Commissioner Billie Jo Underwood  
District 4 – Commissioner Charles F. Gruber

**Commissioners absent:**

None.

**Staff present:**

Brian Peacock, CIS Director  
Joey Nunnally, County Engineer  
Anu Gary, Administrative Services Manager  
Michelle Howard, Commission Executive Assistant  
Taylor Bufkin, Public Information and Communications Specialist  
Eddie Harper, Building Official  
Matthew Brown, Planning Director  
Deidra Hanak, Personnel Director  
Zach Hood, Emergency Management Agency (EMA) Director  
Cian Harrison, Clerk/Treasurer  
Ron Cink, Budget Director/ Interim County Administrator  
Danon Smith, Emergency Management Officer, EMA  
Vernon Dandridge, Planning and Grants Division Manager, EMA  
Loren Lucas, Accounting Manager, BRATS  
Wanda Gautney, Purchasing Director  
Mindy Smith, Permit Administrator, Building Department

**Staff present via teleconference:**

Felisha Anderson, Director of Archives/Special Historic Projects Coordinator

**Also present:**

Brad Hicks, County Attorney  
Guy Busby, Gulf Coast Media  
Alainna Elliott, Director of Human Resources, Baldwin County Sheriff's Office  
Sheriff Huey Hoss Mack

After the welcome, invocation and pledge of allegiance, the following agenda items were reviewed and/or discussed:

**A ADOPTION OF MINUTES**

July 19, 2022, Special Meeting (Budget Deliberations)  
July 28, 2022, Special Meeting (Budget Deliberations)  
August 2, 2022, Regular Meeting

No discussion.

**B COMMITTEE REPORTS**

**BA FINANCE/ADMINISTRATION DIVISION**

**BA1** Payment of Bills **22-1348**

No discussion.

**BA2** Notification of Interim Payments Approved by Clerk/Treasurer as Allowed Under Policy 8.1 **22-1347**

No discussion.

**C CONSENT AGENDA**

**CA ADMINISTRATION**

**CA1** City of Fairhope - Annexation Notification **22-1330**

Moved to August 16, 2022, regular meeting, Consent Agenda.

**CA2** Perdido Bay Water, Sewer and Fire Protection District - Board Appointment(s) **22-1331**

Moved to August 16, 2022, regular meeting, Consent Agenda.

**CA3** Case No. LV-22014 - Alcohol License Application for Little River Food Plot LLC d/b/a Little River Food Plot **22-1321**

Moved to August 16, 2022, regular meeting, Consent Agenda.

- |            |  |                |
|------------|--|----------------|
| <b>CA4</b> | <u>Annual Advertising Contract with Gulf Coast Media for Fiscal Year 2022-2023</u> | <b>22-1058</b> |
|------------|--|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

- |            |   |                |
|------------|---|----------------|
| <b>CA5</b> | <u>Central Baldwin Sunset Rotary Club Inc. - 2022 Alligators and Ale 5K and Fun Run</u> | <b>22-1305</b> |
|------------|---|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

- CA6** Revision of County Take Home Vehicle List - August 2022 **22-1329**

Moved to August 16, 2022, regular meeting, Consent Agenda.

**CC**   **ARCHIVES AND HISTORY**

- |            |  |                |
|------------|--|----------------|
| <b>CC1</b> | <u>North Baldwin Chamber of Commerce - Outdoor Expo - Discover North</u><br>Baldwin Event at Baldwin County Bicentennial Park in Stockton, Alabama | <b>22-1245</b> |
|------------|--|----------------|

Chairman Ball said approval of Item CC1 is contingent upon receipt of a certificate of liability insurance naming Baldwin County Commission as additional insured.

Moved to August 16, 2022, regular meeting, Consent Agenda.

- |            |  |                |
|------------|--|----------------|
| <b>CC2</b> | <u>Resolution #2022-148 - Appropriation from Historic Parks Fund to</u><br>Bicentennial Park for Olde Time Days and Christmas Events | <b>22-1318</b> |
|------------|--|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

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

- |            |   |                |
|------------|---|----------------|
| <b>CD1</b> | <u>Agreement with State of Alabama Relative to a Pass Through of Federal Funds for an Urbanized Area Public Transportation Project for Eastern Shore Urbanized Area in Baldwin County</u> | <b>22-1354</b> |
|------------|---|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

- CD2**    FY2023 Agreement for Transportation Services with Coastal Alabama **22-1322**

Community College

Moved to August 16, 2022, regular meeting, Consent Agenda.

**CD3** FY2023 Agreement for Transportation Services with Council on Aging **22-1323**

Moved to August 16, 2022, regular meeting, Consent Agenda.

<b>CD4</b>	<u>FY2023 Agreement for Transportation Services with Exceptional Foundation Gulf Coast</u>	<b>22-1324</b>
------------	--	----------------

Moved to August 16, 2022, regular meeting, Consent Agenda.

**CE BUDGET/PURCHASING**

<b>CE1</b>	<u>Competitive Bid #WG22-37B - Provision of Ready-mix Concrete for the Baldwin County Commission</u>	<b>22-1344</b>
------------	--	----------------

Moved to August 16, 2022, regular meeting, Consent Agenda.

<b>CE2</b>	Competitive Bid #WG22-54 - Annual Scrap Metal and White Goods Recycling Services for the Baldwin County Commission	<b>22-1304</b>
------------	--	----------------

Moved to August 16, 2022, regular meeting, Consent Agenda.

<b>CE3</b>	<u>Competitive Bid #WG22-55 - Provision of Annual Traffic Signal Repair for the Baldwin County Commission</u>	<b>22-1299</b>
------------	---	----------------

Moved to August 16, 2022, regular meeting, Consent Agenda.

<b>CE4</b>	<u>Competitive Bid #WG22-57 - Construction of Magnolia Sanitary Landfill Cell 9 Located in Summerdale, Alabama for the Baldwin County Commission</u>	<b>22-1367</b>
------------	--	----------------

Moved to August 16, 2022, regular meeting, Consent Agenda.

<b>CE5</b>	<u>Competitive Bid #WG22-61 - Purchase and Installation of One (1) New 10,000 Gallon Fuel Tank at Baldwin County Magnolia Landfill Located in Summerdale, Alabama for the Baldwin County Commission</u>	<b>22-1297</b>
------------	---	----------------

Moved to August 16, 2022, regular meeting, Consent Agenda.

- |            |  |                |
|------------|--|----------------|
| <b>CE6</b> | <u>Lease of One (1) Postage Machine for Baldwin County Solid Waste Department Located at Magnolia Landfill</u> | <b>22-1302</b> |
|------------|--|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

- |            |  |                |
|------------|--|----------------|
| <b>CE7</b> | <u>Lease of One (1) Postage Machine / Letter Opener for Baldwin County Revenue Commission Office</u> | <b>22-1343</b> |
|------------|--|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

- |            |   |                |
|------------|---|----------------|
| <b>CE8</b> | <u>Rental of Copy Machines for the Baldwin County Judge of Probate Office - Tag Section, Fairhope Commission Office, Planning &amp; Zoning Department and Council on Aging Department</u> | <b>22-1332</b> |
|------------|---|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

**CF     BUILDING INSPECTION**

- |            |  |                |
|------------|--|----------------|
| <b>CF1</b> | <u>Alabama Department of Environmental Management (ADEM) Contractual Agreement - Coastal Area Management Program Fiscal Year 2022-2023</u> | <b>22-1325</b> |
|------------|--|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

**CH     COMMUNICATIONS/INFORMATION SYSTEMS (CIS)**

- |            |  |                |
|------------|--|----------------|
| <b>CH1</b> | <u>Sale of Surplus Equipment on GovDeals.com</u> | <b>22-1315</b> |
|------------|--|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

**CK     EMERGENCY MANAGEMENT AGENCY (EMA)**

- |            |   |                |
|------------|---|----------------|
| <b>CK1</b> | <u>Fiscal Year 2022 Emergency Management Performance Grant State Subaward Agreement</u> | <b>22-1298</b> |
|------------|---|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

**CL     ENVIRONMENTAL MANAGEMENT**

- |            |  |                |
|------------|--|----------------|
| <b>CL1</b> | <u>Annual Premises Pollution Liability Insurance Premium for Magnolia Landfill</u> | <b>22-1333</b> |
|------------|--|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

**CN HIGHWAY**

- |            |   |                |
|------------|---|----------------|
| <b>CN1</b> | <u>Adopt-A-Mile - County Road 64 from County Road 54 East to Austin Road in Daphne, Alabama</u> | <b>22-1355</b> |
|------------|---|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

- |            |   |                |
|------------|---|----------------|
| <b>CN2</b> | <u>Alabama Department of Conservation and Natural Resources (ADCNR) - State Expenditure Plan # 13: Longevity, Stability and Water Quality Improvements, Bon Secour Dredge Material Disposal Area - Subaward Grant Agreement - Amendment No. 1</u> | <b>22-1350</b> |
|------------|---|----------------|

Joey Nunnally, County Engineer, explained Item CN2 is the Restore Council, State Expenditure Plan #13, which is the Bon Secour dredge site. Baldwin County was awarded \$315,000 from Rebuild Alabama tax to fund this ongoing project.

Moved to August 16, 2022, regular meeting, Consent Agenda.

- CN3** Baldwin County Stormwater Detention Management and Improvements - **22-1346**  
Engineering Services

Joey Nunnally, County Engineer, explained Item CN3 is regarding the regional stormwater detention study as part of the strategic plan and asked the Commissioners if they had a particular area of need in mind and it would be added. The fee for the service is \$153,000 which exceeds the \$100,000 limit outlined in Baldwin County Policy #9.10, therefore Mr. Nunnally is requesting the policy be waived.

Commissioner McKenzie asked if funding is available for use on private property to which Mr. Nunnally replied funding would be released in the event of a storm.

Moved to August 16, 2022, regular meeting, Consent Agenda.

- |            |   |                |
|------------|---|----------------|
| <b>CN4</b> | <u>County Road 13 at County Road 44 Roundabout - Reimbursable Utility Agreement</u> | <b>22-1352</b> |
|------------|---|----------------|

Moved to August 16, 2022, regular meeting, Consent Agenda.

- CN5** J.M. Wood Auction Company, Inc. - Equipment Auction List **22-1359**

**CN6** License Agreement No. 22009 - Scotts Lane - Right-of-Way **22-1351**

**CN7** Rebuild Alabama - Baldwin County FY23 County Transportation Plan **22-1357**

Moved to August 16, 2022, regular meeting, Consent Agenda.

**CQ1** Budgeting and Purchasing Department - Promotion of Employee **22-1335**

**CQ2** Building Maintenance Department - Personnel Changes **22-1336**

**CQ3** Highway Department (Foley) - Personnel Changes **22-1337**

**CQ4** Highway Department (Silverhill) - Promotion of Employee **22-1338**

<b>CQ5</b>	<u>Highway Department (Traffic Operations) - Employment of One (1) Traffic Control Technician I Position</u>	<b>22-1339</b>
------------	--	----------------

Page 7 of 11

Moved to August 16, 2022, regular meeting, Consent Agenda.

**D PRESENTATIONS**

**DA GENERAL**

**DA1** Proclamation - Baldwin County Fair Week - September 20 - 24, 2022

**22-1316**

Moved to August 16, 2022, regular meeting, Presentations.

**E PUBLIC HEARINGS**

**ER PLANNING AND ZONING**

**ER1** Case No. Z22-11 - Ingersoll Property Rezoning

**22-1320**

Moved to August 16, 2022, regular meeting, Public Hearings.

**ER2** Case No. Z22-12 - Ahmadi Property Rezoning

**22-1319**

Moved to August 16, 2022, regular meeting, Public Hearings.

**F OTHER STAFF RECOMMENDATIONS**

**FA ADMINISTRATION**

**FA1** Baldwin County Board of Human Resources - Board Appointment(s)

**22-1342**

Chairman Ball requested Item FA1 to be removed from the agenda due to lack of nominees.

No item going forward at this time, will be brought back to a future meeting.

**FA2** Official and Employee County Owned Car Policy 2.9

**22-1334**

Ron Cink, Budget Director/Interim County Administrator, and Brad Hicks, County Attorney, discussed Item FA2 regarding employees driving County-owned vehicles home, how this would affect insurance, ethics and other similar County policies. Mr. Cink handed out [\*\*Madison County Use of County Vehicles and Equipment Policy\*\*](#).

No item going forward at this time, will be brought back to a future meeting.



## **FF BUILDING INSPECTION**

### **FF1 Amendment to Baldwin County Building Department Fee Schedule 22-1326**

Eddie Harper, Building Official, handed out, [Building Department Update Fee Schedule](#) and discussed the need to update the current Building Department fee schedule.

No item moving forward at this time, will be brought back to a future meeting.

## **G COMMISSIONER REQUESTS**

The Commissioners asked Deidra Hanak, Personnel Director, to look into creating a “leave bank” which would allow employees to donate sick time into a bank for employees who may need additional leave.

## **H ADDENDA**

### **HA GENERAL**

#### **HA1 Baldwin County Revenue Commission - Termination of Certified Payments Service Provider Agreement 22-1300**

Moved to August 16, 2022, regular meeting, Addenda.

#### **HA2 Competitive Bid #WG22-49 - Provision of Pest Control for the Baldwin County Commission 22-1371**

Moved to August 16, 2022, regular meeting, Addenda.

#### **HA3 Planning and Zoning Department - Position Change 22-1375**

Moved to August 16, 2022, regular meeting, Addenda.

#### **HA4 Resolution #2022-158 Regarding the Appropriation and Expenditure of American Rescue Plan Act Funds 22-1377**

Commissioner McKenzie asked for an explanation as to why the approved ARPA funding to employees is ceasing, to which Commissioner Underwood replied she requested an update of where Baldwin County Commission stood with the allocated \$43 million in ARPA funds and explained how the approved funds were used in Mobile and Baldwin Counties.

Chairman Ball said a \$1,000 TPP payment was given to employees in December, the Commission implemented the salary survey study which brought employee pay up to a fair rate, and he is not in favor of further expending these funds to employees.

Further discussion took place regarding re-evaluating the use of ARPA funding for the future and re-

visiting appropriating funds to employees, and the need for Commissioners to allot more time for discussion at Commission meetings.

Moved to August 16, 2022, regular meeting, Addenda.

**I SENIOR STAFF REPORT**

None.

**J COUNTY ATTORNEY'S REPORT**

Brad Hicks, County Attorney, said there is one item to be discussed in an executive session.

**K PUBLIC COMMENTS**

None.

**L PRESS QUESTIONS**

None.

**M COMMISSIONER COMMENTS**

None.

**N ADJOURNMENT**

Brad Hicks, County Attorney, recommended the Commission adjourn the meeting and convene into an executive session to discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action.

Mr. Hicks said he is an attorney licensed to practice law in the State of Alabama and this exception is applicable to the planned discussion.

Motion by Commissioner Underwood, seconded by Commissioner Gruber, to adjourn the August 15, 2022, Baldwin County Commission Work Session into an executive session at 9:44 a.m. to discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or

imminently likely to be litigated if the governmental body pursues a proposed course of action.

The motion passed by the following vote:

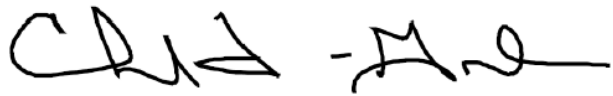
Aye: 4 - James E. Ball, Matthew P. McKenzie, Billie Jo Underwood, and Charles F. Gruber

Nay: 0

Absent: 0

Abstain: 0

Chairman Ball said the Commission meeting will not reconvene after the executive session.

A handwritten signature in black ink, appearing to read "C. Ball" followed by a stylized flourish.

8/15/22  
BCC WORK SSN.

Handout From  
Ron Cink

Standards of conduct for employees of Madison County are created to inform all employees of what is expected of them and to implement a procedure to discipline employees who fail to comply the standards of conduct.

See the Appendix 3 for the complete Social Networking Policy

## **2.19 SOLICITATION**

Employees and persons not employed by Madison County may not solicit, distribute literature, or sell products or services in the workplace at any time for any purpose.

The term solicitation includes:

- The collection of money, goods, or gifts.
- The circulation of petitions.
- The solicitation of memberships, fees, or dues.

## **2.20 USE OF COUNTY VEHICLES AND EQUIPMENT (DRIVING RECORD)**

### **GENERAL POLICY FOR ALL EQUIPMENT USE**

If driving a County-owned vehicle is a part of employment, the employee is required to have a good driving record and a valid driver's license or a valid commercial driver's license. A copy of the employee's driver's license will be maintained in their personnel file. If an employee's license expires or is suspended, the employee must immediately notify their supervisor. Operating a County vehicle without a valid license may be grounds for disciplinary action, up to and including termination of employment.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic parking violations, can result in disciplinary action, up to and including termination of employment.

Repeated accidents, including on or off the job in County vehicles and on or off-duty in personal vehicles, may affect an employee's eligibility for coverage under the County's insurance. Speeding and other traffic citations are also reasons for our insurance company to exclude an employee from driving.

The County insurance provider will periodically and randomly select employee driving records for review. The following offenses may exclude an employee from coverage:

1. Driving while intoxicated or under the influence (DWI, DUI), license suspension, reckless driving, drug charges, leaving the scene of an accident, vehicular homicide, or other similar offenses.
2. Two or more moving violations and one or more at-fault accidents in the past three years.

3. Three or more moving violations in the past three years.
4. Two or more at-fault accidents in the past three years.

Madison County's insurance carrier makes the determination of eligibility or exclusion and the Personnel Department is notified when and if an employee is excluded from coverage.

County employees who drive County vehicles or on-road equipment must report to the Personnel Department any ticket or arrest for a moving violation within seventy-two (72) hours of receiving the citation or the arrest. This applies without regard to the ownership of the vehicle being driven when the citation or arrest is made.

**Withholding Requirements for Commuters:** The Internal Revenue Service (IRS) considers commuting to and from work in a County owned vehicle to be personal use, even if the vehicle is taken home for the convenience of the County. The County uses the Commuting Rule, as set forth by the IRS, to determine the value of the vehicle. Each one-way commute (one trip from home to work or vice-versa) is multiplied by the current IRS rate under the Commuting Rule to calculate the value of the vehicle to the employee which is considered taxable income. If more than one employee is required to commute in such a vehicle, this value applies to each employee.

However, the IRS considers all of an employee's use of a qualified non-personal use vehicle a working condition benefit, which is excluded from taxable income. By way of illustration, examples of Qualified Nonpersonal Use Vehicles are marked and unmarked Sheriff's Office vehicles; marked Fire Marshal's vehicles; any vehicle designed to carry cargo with a loaded gross vehicle weight over fourteen thousand (14,000) pounds and dump trucks and garbage trucks.

Madison County may periodically require employees to provide a current copy of a motor vehicle report. Madison County also reserves the right to periodically run an MVR to determine an employee's driving record. An employee's driving record may subject the employee to restrictions from driving or termination. If Madison County is notified by the insurance company that an employee is ineligible for County insurance coverage, the employee will either be removed from driving a County vehicle, or if driving is an essential function of their job, their employment may be terminated.

The Madison County Commission has the authority to assign and designate the use of a County vehicle to an employee for the purpose of conducting official County business. At the discretion of the County Commission, vehicles may be driven to and from the employee's residence. The following rules and regulations will apply to employees who are allowed to drive assigned vehicles home:

1. County vehicles may be operated only by employees on County business.
2. County vehicles shall not be used to transport persons other than County employees, except in connection with the effective execution of official duties for Madison County.

8/15/22  
BCC Work Ssn.

(FFI)

HANDOUT FROM  
EDDIE HARPER



# BALDWIN COUNTY, ALABAMA

## *Building Department*

### Discussion Item: Update Fee Schedule

- Housekeeping items
  - Re-word items for clarification
  - Add new categories
- Creation of new fees
  - Permit Transfer fee
  - Plan Revision fee
  - Agricultural storage building
    - Currently – residential or commercial
  - Fire sprinkler systems
    - Currently under plumbing
  - Extension fees (applications and permits)
    - Currently miscellaneous fee
  - Add Stop Work Order penalty amount to fee schedule
  - Revise re-inspection fee
    - Create step-up fees for multiple occurrences

- Discuss need to make permit fees more comparable to those of surrounding communities and like-size counties

**Building Permit and Plan Review Fees**  
**Based on a 2000 SF Heated Home**

(Trade Permit Fees Not Included)

Baldwin County	\$525.00
Spanish Fort	\$600.00
Robertsdale	\$610.00
Bay Minette	\$635.00
Loxley	\$892.00
Foley	\$1,350.00
Daphne	\$1,357.40
Gulf Shores	\$1,508.70
Summerdale	\$1,528.00
Fairhope	\$1,558.70
Orange Beach	\$1,686.96
<b>Average for Baldwin County</b>	<b>\$1113.80</b>
Baldwin County	\$525.00
Mobile County	\$840.00
Shelby County	\$1,509.95
Jefferson County	\$1,787.00
Maddison County	\$2,400.00
<b>Average for Like-Size Counties</b>	<b>\$1412.39</b>

- Timeframe for changes to take affect?

3. County vehicles may not be used to transport family members.
4. County employees who may be required to perform duties before or after normal working hours may be authorized to carry a vehicle home on those nights when he/she is performing such duties.
5. County vehicles are not to be taken out of Madison County except on official Madison County business. Employees who live outside Madison County will not be allowed to drive a vehicle to their residence unless authorized in writing by the County Administrator.
6. Employees are expected to see that the vehicle is properly maintained and serviced.
7. Employees must notify their Department Head if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair.
8. County vehicles are to have no decals, bumper stickers, or markings of any kind other than the Madison County emblem.
9. County vehicles are not to be used for personal errands. This does not include use to go to lunch.
10. Any accident must be reported immediately to the employee's supervisor, or in the case of a Department Head, to the County Administrator.
11. Any accident where there is *any* injury or *any* damage to *any* property requires the employee to report immediately for a drug and/or alcohol screening. Accidents occurring after hours resulting in property damage (no personal injury) may wait and be screened the next business day. The employee's direct supervisor bears the burden of ensuring the screening is completed.

## **2.21 USE OF PHONE, MAIL, COMPUTER AND EMAIL SYSTEMS**

Employee use of phone systems and radios may be monitored and use is governed by the following rules:

### **TELEPHONES**

Personal use of a landline telephone for long-distance calls is not permitted. Any personal calls made or received by the employee should not be disruptive to their work of their fellow employees. If a personal call is received and it will interfere with the employee's work, serving the public, or be disruptive to others, the employee should terminate the call immediately.