



Baldwin County Commission Work Session  
Meeting Minutes

Monday, September 19, 2022  
8:30 AM

Baldwin County Central Annex Auditorium, 22251 Palmer Street,  
Robertsdale, Alabama 36567

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**Commissioners present:**

District 1 – Chairman 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:**

Ron Cink, Budget Director/Interim County Administrator  
Brian Peacock, CIS Director  
Cian Harrison, Clerk/Treasurer  
Joey Nunnally, County Engineer  
Eddie Harper, Building Official  
Deidra Hanak, Personnel Director  
Terri Graham, Development and Environmental Director  
Zach Hood, EMA Director  
Ron Ballard, JDC Director  
Matthew Brown, Planning Director  
Ann Simpson, BRATS Director  
Wesley Majors, Animal Shelter Manager  
Anu Gary, Administrative Services Manager  
Keri Green, Commission Executive Assistant  
Taylor Bufkin, Public Information and Communications Specialist  
Kathy McHugh, Grants Administrator  
Shannon Spivey, Customer Relationship Manager  
Christel Watson, Building Maintenance Administrative Support Specialist II  
Kelly Childress, Council on Aging Coordinator  
Ashley Campbell, Natural Resource Officer  
Dean Mott, Chief Clerk  
Joe Davis, Chief Clerk of Collections

**Staff present via teleconference:**  
Wanda Gautney, Purchasing Director

**Also present:**  
Brad Hicks, County Attorney  
Revenue Commissioner Teddy Faust

## **WELCOME BY CHAIRMAN, INVOCATION AND PLEDGE OF ALLEGIANCE**

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

### **A ADOPTION OF MINUTES**

August 19, 2022, Special Meeting (Budget Deliberations)  
August 26, 2022, Special Meeting (Budget Deliberations)  
August 31, 2022, Special Meeting (Budget Deliberations)  
September 6, 2022, Regular Meeting

No discussion.

### **B COMMITTEE REPORTS**

#### **BA FINANCE/ADMINISTRATION DIVISION**

**BA1** Payment of Bills **22-1488**

No discussion.

**BA2** Notification of Interim Payments Approved by Clerk/Treasurer as Allowed Under Policy 8.1 **22-1487**

No discussion.

### **C CONSENT**

#### **CA ADMINISTRATION**

**CA1** Lease Agreement with Mr. Frank Bryars for 40 Acres in North Baldwin County **22-1457**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CA2** Resolution #2022-070 - First Amended Tax Abatement Agreement between Baldwin County Commission and Novelis Corporation **22-1500**

Chairman Ball noted there is a replacement for Item CA2 correcting the resolution number throughout the item due to incorrect assignment of resolution number.

Moved to September 20, 2022, regular meeting, Consent Agenda.

**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**

Moved to September 20, 2022, regular meeting, Consent Agenda.

- CD2** Federal Transit Administration Grant Award for FY2023 Section 5307 Funds Apportioned to Daphne - Fairhope, Alabama Urbanized Area **22-1474**

Moved to September 20, 2022, regular meeting, Consent Agenda.

- CD3** Lease Agreement with Prodissee Pantry for Baldwin Regional Area Transit System (BRATS) Spanish Fort Hub **22-1465**

Moved to September 20, 2022, regular meeting, Consent Agenda.

- CD4** License Agreement with Cypress Spanish Fort III, LLC for Spanish Fort Transit Hub **22-1521**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**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**

Moved to September 20, 2022, regular meeting, Consent Agenda.

- CE2** Competitive Bid #WG22-37C - Provision of Ready-mix Concrete for the Baldwin County Commission **22-1511**

Moved to September 20, 2022, regular meeting, Consent Agenda.

- CE3** Competitive Bid #WG20-51A - Provision of Roadside Litter Collection Services from County Right-of-Ways within the Unincorporated Areas of Baldwin County, Alabama for the Baldwin County Commission **22-1447**

Commissioner Gruber asked if the roadside litter collection services are working well, to which Terri Graham, Development and Environmental Director, replied yes.

Moved to September 20, 2022, regular meeting, Consent Agenda.

- CE4** Competitive Bid #WG22-59 - Provision of Baldwin County Cigarette Stamps for the Baldwin County Commission **22-1479**

Moved to September 20, 2022, regular meeting, Consent Agenda.

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

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CE6** Competitive Bid #WG22-62 - Perdido Bay Park Pier Restoration Project for the Baldwin County Commission **22-1525**

Wanda Gautney, Purchasing Director, explained Item CE6 is to award the bid for the Perdido Bay Park Pier Restoration Project.

Commissioner Underwood asked if there was any concern over the bid being enough to cover the cost of the restoration project due to the bid being so much lower than other bids, to which Ms. Gautney replied the mobilization of the project is less expensive due to the contractor's proximity to the project.

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CE7** Competitive Bid #WG22-68 - Provision of Pest Control Services for Baldwin County Corrections Center **22-1493**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CE8** Probate Office - Computer Software Support Agreement and Addendum with Delta Computer Systems, Inc. **22-1485**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**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**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CE10** Quotes for Repairs to Josephine Park Boardwalk Located in Josephine, Alabama for the Baldwin County Commission **22-1459**

Wanda Gautney, Purchasing Director, explained item CE10 is to complete the extra repairs needed at the Josephine Park Boardwalk, which were found after the original bid was awarded.

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CE11** Rental of Four (4) Copy Machines for Baldwin County Building Inspection Department and Baldwin County Sheriff's Offices **22-1475**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CE12** Request for Proposals (RFP) for Temporary Clerical and Labor Services for the Baldwin County Commission **22-1520**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CE13** Sale of Gas Pump on GovDeals.com **22-1448**

Commissioner Underwood asked why the gas pump needs to be sold rather than disposing of it, to which Wanda Gautney, Purchasing Director, explained a person had approached the Commission requesting to purchase it to refurbish.

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CE14** Resolution #2022-168 FY2022 Budget Amendment - ARPA and ERAP **22-1529**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CE15** Resolution #2022-169 FY2022 Budget Amendment - TPP Program **22-1505**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CE16** Resolution #2022-171 FY2022 Budget Amendment - MegaSite **22-1504**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CE17** Appropriation Agreements Aligned to the Baldwin County Fiscal Year 2022-2023 Budget **22-1469**

Moved to September 20, 2022, regular meeting, Consent Agenda.

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

Moved to September 20, 2022, regular meeting, Consent Agenda.

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

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CF BUILDING INSPECTION**

**CF1** Building Inspection Department – Computer Software Support Agreement And Addendum with Delta Computer Systems, Inc. **22-1458**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CJ ELECTED OFFICIALS**

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

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CL ENVIRONMENTAL MANAGEMENT**

**CL1** Recycle Bin - Lillian Volunteer Fire Department **22-1507**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**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**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CM2** Allocation of American Rescue Plan Act (ARPA) Funds for Ventilation System Improvements in Bay Minette Probate Office **22-1503**

Commissioner Gruber asked if other ARPA projects would be discussed, to which Cian Harrison, Clerk/Treasurer, replied there is a discussion item for other ARPA projects to be discussed later in the agenda.

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CM3** Rescind Previous Commission Action Related to Allocation of American Rescue Plan Act (ARPA) Funds for Specific Projects Determined to be Ineligible **22-1510**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CN HIGHWAY**

**CN1** License Agreement No. 22013 - Perdido Street - Right-of-Way **22-1528**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CN2** Resolution #2022-167 - Annexation and Transfer of 2nd Street, 3rd Street, Ledyard Street, Taylor Street, Chapman Street, and Adams Street (aka "Fairhope Roads") to the City of Fairhope **22-1492**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CO JUVENILE DETENTION**

**CO1** Alabama Department of Youth Services Long Term Detention Subsidy Contract **22-1452**

Chairman Ball recommended holding off on approval of Item CO1 pending approval by Brad Hicks, County Attorney. Mr. Hicks stated he would review the item today.

Ron Ballard, JDC Director, said approval can wait if necessary.

It was decided item CO1 would remain on the agenda pending legal approval by the County Attorney.

Moved to September 20, 2022, regular meeting, Consent Agenda.

## **CQ PERSONNEL**

### **CQ1 Approval of Updated Organizational Charts and Position Descriptions 22-1519**

Commissioner Underwood discussed the request she made late last week to update the organizational chart regarding the re-classification of the Animal Shelter Manager, Council on Aging Coordinator, Customer Relationship Manager, and the Director of Archives and History/Special Historic Project Coordinator positions, which she feels are not currently in correct classification categories. Commissioner Underwood asked having those directors to be updated to category 317 and recommended to pass this request with the budget rather than making a later amendment.

Deidra Hanak, Personnel Director, noted if Commissioners wish to move forward she has an updated agenda item ready.

Ron Cink, Interim Administrator/Budget Director, said he will prepare an updated Budget presentation to include the changes.

Moved to September 20, 2022, regular meeting, Consent Agenda.

### **CQ2 Highway Department (Bay Minette) - Personnel Changes 22-1512**

Moved to September 20, 2022, regular meeting, Consent Agenda.

### **CQ3 Juvenile Detention Center - Personnel Changes 22-1513**

Moved to September 20, 2022, regular meeting, Consent Agenda.

### **CQ4 Personnel Department - Health and Dental Insurance Rates for 2023 22-1515**

Commissioner Underwood asked if the addition of the plus one option change to insurance policies will be automatic or if employees will have to contact personnel to request the change, to which Deidra Hanak, Personnel Director, replied that Personnel Department staff will contact all eligible employees.

Moved to September 20, 2022, regular meeting, Consent Agenda.

### **CQ5 Personnel Department - Safety Incentive Discount Program for ACCA 22-1517**

Self-Insurance Fund

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CQ6** Revenue Commission - Personnel Changes **22-1516**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CR PLANNING AND ZONING**

**CR1** Baldwin County Commission Board of Adjustment #2 – Board Appointment(s) **22-1455**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CR2** Baldwin County Environmental Advisory Committee - Board Appointment(s) **22-1494**

Moved to September 20, 2022, regular meeting, Consent Agenda.

**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**

Matthew Brown, Planning Director, discussed the need to explain the Planning (Zoning) District 14 boundaries during the September 20, 2022, regular meeting for legal purposes.

Moved to September 20, 2022, regular meeting, Consent Agenda.

**CR4** Proposed Planning (Zoning) District 38 - Certification of Petition and Request for Zoning Election **22-1523**

Chairman Ball noted there is a replacement for Item CR4 correcting information throughout the document to reflect the correct date of the December 20, 2022, deadline for the election to be held.

The Commissioners and Matthew Brown, Planning Director, discussed the number of Planning Commission members on the board. Commissioner Underwood asked if the number of planning commission members is due to a legislative act, to which Mr. Brown replied yes.

Chairman Ball asked if the number of Planning Commission members is something that needed to be addressed with the Legislative Delegation, to which Mr. Brown replied it could be. Mr. Brown suggested the new members be brought on the board as alternate members.

Chairman Ball requested Brad Hicks, County Attorney, to draft a letter to legislators requesting new members to the Planning Commission be brought onto the board as alternate members.



Moved to September 20, 2022, regular meeting, Consent Agenda.

## **D PRESENTATIONS**

### **DA GENERAL**

**DA1** Proclamation - RIDEYELLOW DAY on October 1, 2022 **22-1450**

Moved to September 20, 2022, regular meeting, Presentations.

**DA2** Proclamation - Archives Month in October 2022 **22-1451**

Moved to September 20, 2022, regular meeting, Presentations.

**DA3** Adoption of the Baldwin County Fiscal Year 2022-2023 Budget **22-1467**

Chairman Ball noted that each Resolution in Item DA3 will be voted on separately and in the order indicated in the staff recommendation.

Ron Cink, Interim County Administrator/Budget Director, discussed changes to the Baldwin County Fiscal Year 2022-2023 Budget, including a replacement budget resolution.

The Commissioners, Mr. Cink, Zach Hood, EMA Director, Deidra Hanak, Personnel Director, Joey Nunnally, County Engineer, and Cian Harrison, Clerk/Treasurer, discussed training and travel budgets for departments.

Commissioner McKenzie left the Auditorium and the work session at 9:14 a.m.

Commissioner McKenzie returned to the meeting at 9:17 a.m.

It was decided Department Heads will discuss revisions to the travel and training budgets during the Department Head meeting and submit changes to Mr. Cink for the September 20, 2022, regular meeting.

Moved to September 20, 2022, regular meeting, Presentations.

## **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, explained Item EF1 and the need to involve the County Attorney due to the property being sold by the owner.

Brad Hicks, County Attorney, explained the property is a contract for deed and notice has been given to adjacent property owners.

Moved to September 20, 2022, regular meeting, Public Hearings.

## **ER PLANNING AND ZONING**

**ER1** Case No. Z22-14 - Lazzari Property Rezoning **22-1499**

Moved to September 20, 2022, regular meeting, Public Hearings.

**ER2** Case No. Z22-15 - God is Bidden Property Rezoning **22-1476**

Moved to September 20, 2022, regular meeting, Public Hearings.

## **F OTHER STAFF RECOMMENDATIONS**

### **FA ADMINISTRATION**

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

Moved to September 20, 2022, regular meeting, Other Staff Recommendations.

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

Chairman Ball requested Item FA2 be a discussion item only at this time. Brad Hicks, County Attorney, noted he revised the item based on prior discussions and he is waiting on clarification from the Ethics Commission.

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

### **FM FINANCE AND ACCOUNTING**

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

Cian Harrison, Clerk/Treasurer, gave an update on the American Rescue Plan Act (ARPA) Update regarding current and pending ARPA related items and discussed issues with Commissioners, Ron Cink, Interim County Administrator/Budget Director, Dean Mott, Chief Clerk of Probate, and Terri Graham, Development and Environmental Director, and presented the [ACCA – ARPA Project List](#).

Moved to September 20, 2022, regular meeting, Other Staff Recommendations.

### **FQ PERSONNEL**

**FQ1** Discussion of 2023 Christmas Holidays for County Employees **22-1514**

Deidra Hanak, Personnel Director, discussed the 2023 Christmas Holiday schedule for County employees.

Ms. Hanak said she will follow up with Judge Stankoski and ALEA to determine dates the Courthouses will be closed before a decision is made.

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

## **G COMMISSIONER REQUESTS**

Commissioner Underwood discussed the possibility of amendments to family subdivisions.

It was decided Matthew Brown, Planning Director, will present several options for family subdivision amendments for Commissioners to consider at a future meeting date.

## **H ADDENDA**

### **HA GENERAL**

#### **HA1 Request from Local Emergency Planning Committee for Purchase of a Digital Pressure Test Kit 22-1428**

Zach Hood, EMA Director, discussed the request from the Local Emergency Planning Committee (LEPC) to purchase a digital pressure test kit.

Moved to September 20, 2022, regular meeting, Addenda.

## **I SENIOR STAFF REPORT**

Cian Harrison, Clerk/Treasurer, discussed the completion of the audit performed by the Department of Examiners of Public Accounts, the lines of credit established for Hurricane Sally being paid off, and the CDBG-DR Action Plan update.

Chairman Ball discussed his conversation with Senator Tommy Tuberville regarding State Representatives in Washington not knowing Baldwin County is still having problems with FEMA and the need for the Commission, to communicate with representatives regarding the outstanding needs of Baldwin County.

Commissioner Underwood discussed not having a government relations staff member and requested suggestions from Commissioners and staff regarding the qualifications for an internal government relations member.

Chairman Ball asked Cian Harrison, Clerk/Treasurer, if the County is still trying to get the reimbursement from FEMA for approximately \$6 million dollars for Hurricane Sally debris cleanup, to which she replied, yes.

Commissioner Gruber mentioned the importance of involving municipalities in the CDBG-DR Action Plan response.

Ms. Harrison stated the action plan to be published by ADECA will provide guidance and if municipalities need to be involved, a meeting will be set up. The County Commission and

municipalities will have 30 days to provide comments to ADECA for consideration and the hope is to have a response to ADECA following the first meeting in October.

Commissioner Underwood left the Auditorium and the work session at 10:21 a.m.

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

Brad Hicks, County Attorney, noted there is one item to be discussed in an executive session regarding pending litigation.

## **K PUBLIC COMMENTS**

None.

## **L PRESS QUESTIONS**

None.

## **M COMMISSIONER COMMENTS**

None.

## **N ADJOURNMENT**

Brad Hicks, County Attorney, recommended, in accordance with Code of Alabama Section 36-25A-7, the Commission to adjourn into 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 for the executive session.

Motion by Commissioner Gruber, seconded by Commissioner McKenzie, in accordance with Code of Alabama Section 36-25A-7, to adjourn into an executive session at 10:23 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: 3 - James E. Ball, Matthew P. McKenzie, and Charles F. Gruber

Nay: 0

Absent: 1 - Billie Jo Underwood

Abstain: 0

Chairman Ball stated the work session will not reconvene after the Executive Session.



ACCA - ARPA Project List as of 9/15/2022

Baldwin County - \$43,360,588			
Enumerated Uses		Revenue Replacement Funds	
\$33,360,588		\$10,000,000	
Water/Sewer/Stormwater		Magnolia Landfill Recycle Facility (Design and Additional Construction Costs)*	\$204,000
Boros Road Bowl Project* (\$102,724 previously reported)	\$1,234,482	Lexipol Law Enforcement Training	\$70,000
Lehman Road (Utility Relocation)		Corte Road Extension	\$3,000,000
Additional Projects:		Cleanstrike Foggers* (completed)	\$179,771
Stormwater Projects (Six projects forwarded by IAC to LaBella for Review)		Motorola Equipment and Additional Bandwidth* (completed)	\$468,927
Broadband	\$3,000,000		
Premium Pay* (\$844,191 previously reported)	\$5,000,000		
Ventilation Projects			
Probate Office	\$947,298		
Board of Education	\$1,155,000		
Additional Ventilation Projects:			
Survey/Inventory age of systems in county-owned buildings; number of people working there; etc. to create priority list.			
County to provide three additional sites for visit			
Other COVID-19 Construction/Renovation			
Magnolia Landfill Recycle Facility (Touchless System Components) (Amount updated 8/31)	\$4,400,000		
Courthouse Outdoor Renovation			
Touchless Bathroom Upgrades	\$88,505		
Ionizers in Buildings	\$192,500		
Additional Projects:			
Courthouse Security (Sally port, other measures)			
Mental Health Jail Renovations			
Coroner's Office			
Disproportionately Impacted Communities (OCTs)			
Aid to Nonprofits			
Nonprofit Application packet; resolution; implementation policies and procedures. (Forwarded to County staff on 9/2)			
COVID-19 Mitigation/Healthcare			
Self-Funded Insurance Costs* (through June 2022)	\$852,243		
COVID-19 Leave* (completed)	\$9,835		

Emergency Communication Systems:				
Government Resiliency				
Tyler Technologies Virtual Training* (completed)	\$28,000			
Electronic Document Mgt. System (Low priority)	\$285,000			
Administrative Costs				
IAC Fee* (\$737,211.76 previously reported)	\$1,474,424			
Audit	\$100,000			
Internal Admin. Costs* (\$24,192.16 reported through June 2022)	\$300,000			
Hagerty Consulting* (completed)	\$24,969			
Enumerated Uses ("EU") Funds Total	\$19,092,254		Revenue Replacement ("RR") Funds Total	\$3,922,698
EU Funds Remaining	\$14,268,334		RR Funds Remaining	\$6,077,302
\$20,345,636				
*Includes previously reported expenditures				