



Baldwin County Commission  
Emergency Special Meeting Minutes

Monday, September 14, 2020  
8:30 a.m.

*\*\*As amended by the Baldwin County Commission during its June 1, 2021, Regular meeting (Agenda Item BA1).*

Baldwin County Administration Building, County Commission Chambers  
322 Courthouse Square Bay Minette, Alabama

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Upon an emergency special meeting being called by the Chairman of the Baldwin County Commission at 8:30 a.m., members present in the Chambers of the Baldwin County Administration Building, located at 322 Courthouse Square, Bay Minette, Alabama, were:

**Commissioners present:**

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

**Commissioners absent:**

None.

Also present were:

**Staff present:**

Wayne Dyess, County Administrator  
Zach Hood, Emergency Management Agency (EMA) Director  
Anu Gary, Administrative Services Manager  
Monica English, Assistant Administrative Services Manager  
Ron Cink, Budget Director  
Sherry-Lea Bloodworth Botoy, Public Information Officer/Community Engagement Manager  
Joey Nunnally, County Engineer  
Eddie Harper, Building Official  
Mindy Smith, Permit Administrator  
Deidra Hanak, Personnel Director  
Cian Harrison, Clerk/Treasurer  
Ron Ballard, Juvenile Detention Center Director  
Terri Graham, Environmental Development Director  
Wanda Gautney, Purchasing Director  
Junius Long, Facilities Coordinator  
Brian Peacock, Communications/Information Systems Director  
Vince Jackson, Development Review Planner  
Rodney Criswell, Juvenile Probation Officer  
Derrick Crocker, Building Maintenance Supervisor  
Lisa Sangster, Administrative Support Specialist IV

**Staff present via teleconference:**

N/A

**Also present:**

Brad Hicks, County Attorney  
Sheriff Huey Hoss Mack  
District Attorney Robert Wilters  
Judge Harry D'Olive, Judge of Probate

Said emergency special meeting topics were as follows:

- [1] Discuss impending inclement weather conditions which may pose a hazard to the safety and welfare of the general public; and
- [2] Consider and/or adopt an instrument declaring a local state of emergency; and
- [3] Consider and/or authorize the closure of certain county facilities by direction of the Chairman of the Baldwin County Commission or by adoption of a resolution or other instrument; and
- [4] Consider and/or authorize the opening of shelters as necessary; and
- [5] Consider and/or adopt a resolution determining a curfew if so advised by the Sheriff of Baldwin County; and
- [6] Consider and/or authorize any other actions related to the impending threat of inclement weather conditions; and
- [7] Consider and/or authorize the cancellation and/or rescheduling of any Baldwin County Commission meetings as necessary.

The Chairman called the meeting to order at 8:30 a.m. After the Invocation by Felisha Anderson, Archives Director, and the Pledge of Allegiance led by Commissioner Joe Davis, III, the Commission transacted the following business to-wit:

**Insert Special Meeting Call Letter into the Record**

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to insert the **September 14, 2020, Baldwin County Commission Emergency Special Meeting Call Letter** into the record.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**Discuss Impending Inclement Weather Conditions Which May Pose a Hazard to the Safety and Welfare of the General Public**

Zach Hood, Emergency Management Agency Director, appeared before the Commission and provided an update on Tropical Storm Sally. Mr. Hood commented on Tropical Storm Sally's forecasted track, and the key threats associated with Tropical Storm Sally including historic rainfall and flooding. Mr. Hood said the storm should be taken seriously, he is concerned about what is going on and what could

happen. He wants the Commission to be prepared. Mr. Hood commented on the predicted impact of Tropical Storm Sally, the storm's target days and the possibility of closing beaches.

Wayne Dyess, County Administrator, said Mr. Hood is recommending the Commission issue a Local State of Emergency.

The Commissioners and staff discussed whether the Governor has declared a Local State of Emergency, reviewing the County's declaration for Local State of Emergencies, whether municipalities have declared a State of Emergency, the timeframe to commence a Local State of Emergency, utilization of County and surrounding shelters and procedures to take due to COVID-19, activating and utilizing the Volunteer Organization Active in Disaster (VOAD) and the benefits of issuing a Local State of Emergency.

Commissioner Ball, Mr. Dyess, and Brad Hicks, County Attorney, discussed if a motion is needed to enter into a local state of emergency and a commencement time for the declaration.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to declare and enter into a Local State of Emergency commencing on September 14, 2020, at 9:00 a.m.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

#### **Consider and/or Authorize the Opening of Shelters as Necessary**

Zach Hood, Emergency Management Agency (EMA) Director, said at this time, EMA is ready to maintain the posture it is currently in. The shelters are ready to be opened, but do not need to be opened at this time. This will be a high water, flooding type of event. Mr. Hood said staff will work with Volunteer Organizations Active in Disaster (VOAD) to assist people who may be displaced from their residences.

#### **Consider and/or Authorize the Closure of Certain County Facilities by Direction of the Chairman of the Baldwin County Commission or by Adoption of a Resolution or Other Instrument**

Zach Hood, Emergency Management Agency (EMA) Director, recommended non-essential personnel remain at home and essential key personnel report to work and said the County should prepare for transportation problems.

The Commission and staff discussed whether to postpone or reschedule the September 15, 2020, Baldwin County Commission Regular meeting to a date certain, the public hearings scheduled for that meeting and payment of the County's bills.

Further discussion followed regarding holding the September 15, 2020, Baldwin County Commission Regular meeting as scheduled and tabling the public hearings until the next regular Commission meeting.

It was further discussed whether to continue with the September 15, 2020, meeting as scheduled and table the public hearings until the next regular Baldwin County Commission Regular meeting (September 22, 2020) with the exception of the Payment of Bills and Notification of Interim Payments.

The Commissioners discussed getting the message out to the public regarding the rescheduled public hearing items, other items scheduled for the September 15, 2020, meeting, the consequences of the weather changing overnight and the need to pay the bills during the Emergency Special meeting.

It was decided to consider and approve the Payment of Bills during today's meeting.

**\*\*Payment of Bills**

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, to pay bills totaling \$14,313,159.17 (fourteen million, three hundred thirteen thousand, one hundred fifty-nine dollars and seventeen cents) with the exception of Vendor #34, which is listed in the Baldwin County Accounts Payable Payments – September 15, 2020, for a revised total of \$14,312,536.67.

Of this amount, \$9,743,470.25 (nine million, seven hundred forty-three thousand, four hundred seventy dollars and twenty-five cents) is payable to the Baldwin County Board of Education and \$575,121.55 (five hundred seventy-five thousand, one hundred twenty-one dollars and fifty-five 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, Joe Davis III, Billie Jo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 0

**Abstain:** 0

Motion by Commissioner Joe Davis, III, seconded by Commissioner Charles F. Gruber, to pay Vendor #34 in the amount of \$622.50.

Vendor #34: Ball, James E. - \$622.50

The motion passed by the following vote:

**Aye:** 3 - Joe Davis III, Billie Jo Underwood, and Charles F. Gruber

**Nay:** 0

**Absent:** 0

**Abstain:** 1 – James E. Ball

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

Wayne Dyess, County Administrator, informed the Commission that the Baldwin County Commission Interim Payments – September 15, 2020, made by the Clerk/Treasurer, totaling \$3,465,888.39 (three million, four hundred sixty-five thousand, eight hundred eighty-eight dollars and thirty-nine cents) are a part of the record.

Chairman Underwood said for the record those two Items will not be on the September 22, 2020, rescheduled regular meeting agenda.

The Commissioners and staff discussed if there were other pressing items that should be approved during the Emergency Special meeting.

**Approval of Budget/Purchasing Action Items BE1-BE10**



**Located in Robertsdale, Alabama**

Authorize the Chairman to execute the lease agreement with Quadient Leasing USA, Inc., (Accurate Control of Fairhope) for the lease of one (1) postage machine off the State of Alabama Bid for thirty-six (36) months, effective upon full execution of the agreement, for the Baldwin County Central Annex as follows:

Central Annex - 22251 Palmer Street, Robertsdale, Alabama:

Neopost IX7 - IX-7 Series Base with Mixed Size Feeder, Sealer, Drop Tray & Ink Cartridge

Neopost IXDS7 - Dynamic Weighing Platform for IX Series 7/7PRO Bases

Neopost IXWP10 - IX Series 10lb. Weighing Platform

Neopost IXDW10 - IX Series 5/7/7PRO Base 10lb. Differential Weighing

Neopost WP10STDN - 10lb. Scale Stand for IXWP10, ISWP10 & INWP10

Neopost DT-ECERT - e-Certify Configuration

Neopost DT-ECERT2KAS - e-Certify Subscription - Level 3: includes up to 2,000 e-Certs per year. Overage charges are detailed in the attached Lease Addendum.

Neopost Rate Protection

Neopost Accounting Package

Full Coverage Maintenance Contract

Cost of \$1,522.05 per quarter - total of \$6,088.20 per year

**BE4     Pre-qualification of Contractors for the Construction of a New Baldwin County Animal Shelter Intake Building Located in Summerdale, Alabama for the Baldwin County Commission     20-1593**

Authorize the Purchasing Director to advertise for the Pre-Qualification of Contractors for the construction of a new Baldwin County Animal Shelter intake building located in Summerdale, Alabama.

**BE5     Rental of Six (6) Copy Machines for Various Departments for the Baldwin County Commission     20-1594**

Approve and authorize the Chairman to execute the rental agreements with Sharp Electronics Corporation for the rental of six (6) new copy machines off the State of Alabama bid for thirty-six (36) months effective the date of execution as follows:

Location: Baldwin County Parks Department - Silverhill, AL

Model: MX-B350W

Price: \$28.50/month

Excess Charge/copy: \$0.0092/BW

Location: Baldwin County Building Maintenance Department - Bay Minette, AL

Model: MX-B350W  
Price: \$32.95/month  
Excess Charge/copy: \$0.0092/BW

Location: Baldwin County Animal Shelter - Summerdale, AL  
Model: MX-5071  
Price: \$197.00/month  
Excess Charge/copy: \$0.0054/BW, \$0.0400/Color

Location: Baldwin County Judge of Probate - Fairhope, AL  
Model: MX-B376W  
Price: \$42.96/month  
Excess Charge/copy: \$0.0092/BW

Location: Baldwin County Judge of Probate - Foley, AL  
Model: MX-B376W  
Price: \$43.79/month  
Excess Charge/copy: \$0.0092/BW

Location: Baldwin County Revenue Commission - Robertsedale, AL  
Model: MX-3071  
Price: \$116.26/month  
Excess Charge/copy: \$0.0079/BW, \$0.0450 Color

**BE6     Request for Proposals (RFP) for the Purchase and Implementation of a     20-1595**  
**Juvenile Justice Information System Software Solution for the Baldwin**  
**County Juvenile Detention Center**

Approve the Request for Proposals (RFP) for the purchase and implementation of a Juvenile Justice Information System Solution for the Baldwin County Juvenile Detention Center and authorize the Purchasing Director to advertise the RFP.

**BE7     Request for Qualifications (RFQ) for Professional Services for     20-1596**  
**Engineering/Environmental Services for a Coastal Processes Study for**  
**the Lillian Park Beach Habitat and Shoreline Protection**

Authorize staff to begin negotiations with Neel-Schaffer, Inc., so that a final recommendation for award can be made to the Baldwin County Commission for Engineering/Environmental Services for a Coastal Processes Study for the Lillian Park Beach Habitat and Shoreline Protection project.

**BE8     Transfer of a Vehicle from Baldwin County Judge of Probate Office to the     20-1597**  
**Baldwin County District Attorney's Office**



Approve the transfer of one (1) 2012 Chevy Impala VIN #2G1WF5E34C1330752 from the Baldwin County Judge of Probate Office to the Baldwin County District Attorney Office, at no charge, and authorize the Chairman to execute the Fixed Asset Change Forms.

**BE9     Quotes for the Purchase and Installation of New Carpet in the Baldwin County Commission Administration Building Located in Bay Minette, Alabama     20-1598**

Take the following actions:

- 1) Authorize the Purchasing Director to issue Purchase Order's to Shaw Industries, Inc., in the amount of \$8,805.54 for the purchase of the carpet tiles which are being purchased off the Sourcewell National Contract and for the wooden cove base molding that will be purchased by the Building Maintenance Department to complete the project; and
- 2) Approve and authorize the Chairman to execute the Public Works Contract and Certificate of Compliance with Delta Flooring, Inc., in the amount \$29,920.00 for labor only to install the new carpet in the Commission Chambers, Conference Room and Library in the Administration Building areas located in the Bay Minette, Alabama.

**BE10     Acceptance of Fiscal Year 2020-2021 Alabama Department of Youth Services (ADYS) Grant Agreement on Behalf of the Baldwin County Juvenile Court and Approval of The Bridge, Inc. Agreement related to the ADYS Grant Funds     20-1599**

Take the following actions:

- 1) Accept and authorize the execution of the Alabama Department of Youth Services (ADYS) Grant Agreement for Fiscal Year 2020-2021 (beginning October 1, 2020, and ending September 30, 2021) in the amount of \$314,936.00 on behalf of the Baldwin County Juvenile Court, The Bridge, Inc.; and
- 2) Authorize the execution of a service agreement with The Bridge, Inc. for Fiscal Year 2020-2021 (beginning October 1, 2020, and ending September 30, 2021) in an amount not to exceed \$314,936.00 on behalf of the Baldwin County Juvenile Court.

**Consider and/or Authorize the Closure of Certain County Facilities by Direction of the Chairman of the Baldwin County Commission or by Adoption of a Resolution or Other Instrument – Cont'd**

Wayne Dyess, County Administrator, commented on closing of County facilities and said it is the recommendation of the Emergency Management Agency (EMA) Director.



Zach Hood, EMA Director, appeared before the Commission and discussed the most recent weather update which placed the County under a hurricane warning as of 10:00 a.m. and recommended the Commission close County facilities.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to accept the Emergency Management Agency Director's recommendation to close County facilities on Tuesday, September 15, 2020, and Wednesday, September 16, 2020.

The Commissioners and staff discussed coordinating the closure with the Presiding Judge and County employees, giving the Chairman and EMA Director the authorization to extend the closure beyond Wednesday if necessary, and the need for Commissioner Ball to amend his motion.

Motion by Commissioner James E. Ball, to accept the Emergency Management Agency Director's recommendation and close County facilities on Tuesday, September 15, 2020, and Wednesday, September 16, 2020 and authorize the Chairman to make the decisions necessary under the declared Local State of Emergency to extend closures beyond what is dedicated.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**Consider and/or Adopt a Resolution Determining a Curfew if so Advised by the Sheriff of Baldwin County**

Sheriff Huey Hoss Mack appeared before the Commission and said at this time, he does not feel there is a need for a curfew. He recommends monitoring the situation today. Sheriff Mack discussed various situations that could occur if a heavy rain event occurs. Sheriff Mack said depending on the weather, a curfew would be warranted for Tuesday night and commented on getting the message out to residents and monitoring the areas.

The Commissioners, Sheriff Mack, Zach Hood, Emergency Management Agency (EMA) Director, and Brad Hicks, County Attorney, discussed the power Chairman Underwood will have under the Local State of Emergency, allowing Mr. Hood and Sheriff Mack to move swiftly as necessary, the usual curfew hours and possible power outages.

**County Engineer's Report**

Joey Nunnally, County Engineer, appeared before the Commission and discussed the debris contracts with vendors who are in place for the storm event. Mr. Nunnally recommended the Commission to authorize Chairman Underwood and him to activate the contractor and issue a notice to proceed to work if needed. This will help with Federal Emergency Management Agency (FEMA) documents if they come in to play.

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to authorize the Chairman and County Engineer to communicate and implement the necessary disaster debris contracts and give the notice to proceed to begin the work.

Commissioner Davis said the Commissioners want to be kept informed, but do not want to slow down the process.

Wayne Dyess, County Administrator, said everyone will be kept in the loop as decisions are made.

The Commissioners and staff discussed if there was a need for a motion or if was a part of the regular contract.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

### **Development and Environmental Director's Report**

Terri Graham, Environmental Development Director, said Tuesday/Wednesday garbage pick-up will take place on Friday and Saturday.

### **Consideration to Evacuate**

Wayne Dyess, County Administrator, and Zach Hood, Emergency Management Agency (EMA) Director, discussed whether there will be a need for evacuation. It was determined that a need for evacuation was not necessary at this time.

### **Request for Closure of Beaches**

The Commissioners and staff discussed the correspondence to Governor Kay Ivey requesting the closure of beaches, safety concerns and the definition of the term "beach."

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to send a Letter of Request to Governor Kay Ivey to close Baldwin County beaches due to Tropical Storm Sally.

The motion passed by the following vote:

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

Wayne Dyess, County Administrator, said staff will keep the Commissioners updated as decisions are made.

The Commissioners and staff discussed the Emergency Management Agency's (EMA) activation level, river stage flooding, suggestions to residents who are in the paths of floods, encouraging residents to have an evacuation plan in place, and the status of school closures.

### **Postponing the September 15, 2020, Baldwin County Commission Regular Meeting**

Motion by Commissioner Joe Davis, III, seconded by Commissioner James E. Ball, and out of an abundance of caution relative to the weather and safety to the citizens, to postpone the September 15, 2020, Baldwin County Commission meeting until September 22, 2020.

The motion passed by the following vote:

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

Zach Hood, Emergency Management Agency (EMA) Director, said the Alabama Emergency Management Agency (AEMA) has been activated for this event.

**ADDENDA**

None.

**PUBLIC COMMENT**

None.

**PRESS QUESTIONS**

**COMMISSIONER COMMENTS**

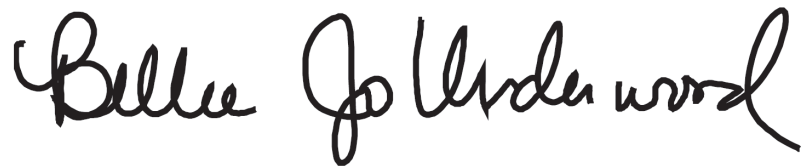
**W ADJOURNMENT**

Motion by Commissioner James E. Ball, seconded by Commissioner Joe Davis, III, to adjourn the September 14, 2020, Baldwin County Commission Emergency Special meeting at 9:25 a.m.

The motion passed by the following vote:

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

Chairman Underwood said the September 14, 2020, Baldwin County Commission Emergency Special meeting is adjourned at 9:25 a.m.

A handwritten signature in black ink that reads "Billie Jo Underwood". The signature is written in a cursive, flowing style.



# COUNTY COMMISSION BALDWIN COUNTY

312 Courthouse Square, Suite 12  
Bay Minette, Alabama 36507  
(251) 937-0264 Main  
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[www.baldwincounty.al.gov](http://www.baldwincounty.al.gov)

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

September 14, 2020

Mr. Wayne Dyess, County Administrator  
Baldwin County Commission  
312 Courthouse Square, Suite 12  
Bay Minette, Alabama 36507

Dear Mr. Dyess:

Pursuant to Section 11-3-8 (b), Code of Alabama 1975, "A county commission may schedule a special meeting [of the Baldwin County Commission] when determined necessary in writing by a majority of the members of the commission, or in the case of an emergency, upon call of the chair."

Therefore, taking into account the aforementioned, coupled with the fact that this request is styled an emergency due to impending inclement weather conditions which may pose a hazard to the safety and welfare of the general public, please be advised that I have determined in writing and by this instrument that it is necessary to conduct an Emergency Special Meeting of the Baldwin County Commission for the date/time/place as follows:

**Monday, September 14, 2020**

8:30 a.m.

Baldwin County Administration Building  
County Commission Chambers  
322 Courthouse Square  
Bay Minette, Alabama

Purpose for Emergency Special Meeting:

- [1] Discuss impending inclement weather conditions which may pose a hazard to the safety and welfare of the general public; and
- [2] Consider and/or adopt an instrument declaring a local state of emergency; and
- [3] Consider and/or authorize the closure of certain county facilities by direction of the Chairman of the Baldwin County Commission or by adoption of a resolution or other instrument; and
- [4] Consider and/or authorize the opening of shelters as necessary; and
- [5] Consider and/or adopt a resolution determining a curfew if so advised by the Sheriff of Baldwin County; and
- [6] Consider and/or authorize any other actions related to the impending threat of inclement weather conditions; and
- [7] Consider and/or authorize the cancellation and/or rescheduling of any Baldwin County Commission meetings as necessary.

Please make the necessary arrangements for the conduct of the Emergency Special Meeting.

Sincerely,

Commissioner Billie Jo Underwood, Chairman