



## BALDWIN COUNTY REGULAR MEETING

August 03, 2021

1601 N Columbia St, Suite 220

6:00 PM

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### Minutes

#### MEMBERS PRESENT

Henry Craig  
John Westmoreland  
Kendrick Butts  
Emily Davis  
Sammy Hall

#### ALSO PRESENT

David McRee  
Carlos Tobar  
Dawn Hudson  
Jill Adams  
Cindy Cunningham

#### CALL TO ORDER

Chairman Henry Craig called the August 3, 2021 Regular Meeting to order at 6:00 p.m.

#### APPROVAL OF MINUTES

Vice Chairman John Westmoreland made a motion to approve the minutes of July 20, 2021 Public Hearing and Regular Meeting as submitted. Commissioner Kendrick Butts seconded the motion and it passed unanimously.

#### ADMINISTRATIVE/FISCAL MATTERS

##### Renaming of Government Building

County Manager Carlos Tobar presented a report regarding the renaming of the Government Building as required in the County Building Naming and Renaming Policy. He stated he had submitted the report to all proposers of the nominees and Commissioners prior to tonight's meeting. Mr. Tobar reported he had reviewed all documentation, and all three (3) candidates met the requirements of the policy. He stated no name received support from three (3) Commissioners which is a requirement to advance the name of a nominee to a formalized vote at a Commission Meeting.

Mr. Alan Wicker, Mr. Clarence Hall and Mrs. Cynthia Edwards addressed the Board requesting the building be named for Oscar Davis, Sr. All stated that it was fitting that the building should be named for Mr. Davis because of his service as a County Commissioner and his many contributions to the community. Ms. Edwards questioned how Mr. Tobar had polled Commissioners regarding their support of a nominee to advance to the full Board.

Commissioner Sammy Hall stated he had worked with Mr. Davis as well as a lot of other deserving Commissioners including Smokey Simmons during his tenure as Commissioner. He said he did not support naming the building after any one individual when there are so many who are deserving of the same.

##### District Attorney's Budget Request

District Attorney Wright Barksdale introduced the District Attorney's staff. He addressed the Board regarding his FY 22 Budget requests. He stated the County funded position for prosecutor has been vacant since March, and the position is currently filled by Sydney Segers who took the Bar Exam in July. She began work August 1st and will be working under Graduate Practice Act which allows her to practice law while awaiting Bar results. District Attorney Barksdale requested a starting salary for Ms. Segers of \$25,000 per year which will

be increased to \$50,000 per year once she passes the bar. Her results of the exam should be received in October or November. Mr. Barksdale reported he is also requesting the \$5,000 supplement that was paid to the previous prosecutor. He stated this practice is consistent with what Board has funded in past. Mr. Barksdale requested the funding for a full-time investigator position for the District Attorney's office to work only Baldwin County cases.

He asked that the starting salary for the position be based on the same salary level as a deputy with equal experience.

Mr. Barksdale commended the Sheriff's Department and Police Department for their assistance to the DA's office in efforts to curtail crime that we are facing in the community.

Commissioners discussed the County budget process which will begin shortly for the upcoming January 2022 budget year. Commissioners concurred that the County supports the District Attorney's office and will do whatever they can in budget process to support the DA. Commissioner Davis questioned how the DA can legally pay someone that has not already passed the bar. Mr. Barksdale responded that the County has done it with previous attorneys in office.

Mr. Barksdale stated that the Ocmulgee Judicial Circuit participates in a State reimbursement program whereby those non-state paid District Attorney employees are allowed to be processed through the State payroll system, thereby entitling those employees to the same fringe benefits as other State employees. The State Prosecuting Attorneys Council (PAC) pays these employees, and Baldwin County reimburses the State. He reported that when he took office, the Ocmulgee Circuit was in debt to State, and he paid the debt from a DA victim account. The Assistant County Manager and Finance Director stated the State could not provide documentation for the costs, and the County had financial records supporting the position that the funds were not owed to the State.

Mr. Barksdale reported the Prosecuting Attorneys Council now requires Counties to enter into a contract with PAC in the event the counties do not pay back any associated costs, PAC can end employment of any employee who falls under the contract. He stated to continue to participate in this, either the County has to sign a contract or pass a resolution to authorize the District Attorney to enter into the contract.

#### 2021 Local Maintenance Improvement Grant (LMIG) Program

County Engineer Brian Wood reported bids were solicited for the Local Maintenance Improvement Grant program, and two (2) bids were received. He stated the bids include paving the golf course parking lot which cannot be paid with LMIG funds; however, purchasing larger quantities gets a better price of the materials. He stated 5.58 miles of roads will be leveled, patched and resurfaced under the contract which also includes the golf course parking lot. The bid price for Pittman Construction is \$168,126.85. He recommended the bid be awarded to Pittman Construction as presented.

Commissioner Kendrick Butts requested a list of roads that would be resurfaced under the 2021 LMIG program.

Commissioner Hall made a motion to award the bid for the 2021 LMIG to Pittman Construction in the amount of 168,126.85 as presented. Commissioner Emily Davis seconded the motion and it passed unanimously.

#### Recreation Department Rental Policy and Fee Schedule

County Manager Tobar discussed proposed changes to the Recreation Department Rental Policy and Fee Schedule and presented a revised Rental Policy and Fee Schedule for the Board's consideration. Revisions include: Deletion of Section C (2) and Section C (5) related to exceptions related to prohibited or limited uses. Section D (4) Addition of sentence that reads 'Applicant will receive proof of reservation'.

Mr. Tobar discussed the Fee Schedule which included a revision in the price per hour for rental of the banquet room with kitchen to \$100 per hour with a minimum of four (4) hours. Mr. Tobar reported the Collins P. Lee Center is on a list for possible State funding in the amount of \$900,000 for use as a library. The proposed revision to uses of the Collins P. Lee Center is to allow only meetings at that facility for \$25 per hour Monday – Friday.

Commissioner Kendrick Butts made a motion to approve the Recreation Department Rental Policy and Fee Schedule as presented. Vice Chairman John Westmoreland seconded the motion and it passed unanimously.

A copy of the Policy and Fee Schedule are herewith attached and made an official part of the minutes at pages 60 and 61.

Commissioner Davis stated the name of the Collins P. Lee center should not be changed due to the fact that use of the facility will now be a library.

### **OLD BUSINESS**

There was no old business to come before the Board.

### **NEW BUSINESS**

There was no new business to come before the Board

### **COUNTY MANAGER'S REPORT**

County Manager Tobar presented the following report:

Splash pad open & temporary features to be swapped out with permanent features this week; Bonner Road one-half mile from Pettigrew Road has reopened; Stembridge Road at Crawford Road has reopened; Kings Road between Hwy 24 and Stembridge will be closed for approximately three days to have wing wall repaired and public will be notified prior to closure; Georgia Initiative for Community Housing (GICH) application has been submitted & there will be a site visit if we move forward up the list. Housing Committee members will be asked to attend the site visit to show that we are serious.; replaced 6,300 linear feet of 6,600 linear feet of defective water pipe at Erin Shores; drive entrance at Government Building set for completion in mid-August; Baldwin County has highest rate of residents with library cards in the region at 42%.

### **PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS**

Dr. Gloria Wicker addressed the Board about uncut grass on Bell Avenue leading up to Swint Avenue as well as Swint Avenue, Youngblood Road, and Combs Avenue. She stated she has come before the Board previously to ask for help with blight especially in the Oconee Heights area. She said she is asking again for help in getting grass cut to make the community look better.

Ms. Cynthia Edwards - no comment.

Ms. Susie Marshall stated she has also been before the Board regarding grass cutting along the roadway especially on the southside of the County and lack of lighting on Frazier Drive; Ms. Marshall reported high grass can cause accidents due to the grass habiting the sight when a car pulls out in the road. She stated an accident occurred recently on Youngblood Road. road.

County Manager Tobar asked Ms. Marshall to speak with Engineer Brian Wood after the meeting about her concerns.

Chairman Henry Craig stated Baldwin County is fortunate to have had many successful national, state, city and county leaders of all races. He felt to name buildings after any one of them diminishes the success and reputation of others. He stated he feels this building's name should reflect its obligation to all citizens of the community. Therefore, the current name of the building, Baldwin County Government Building is a very appropriate name reflecting its obligation to all citizens.

Chairman Craig also discussed TSPLOST which is the answer the state has given all counties to fix roads. Since the State will not fix the road problem, they gave us the option for TSPLOST to fix our own roads. He stressed how important it is to have the TSPLOST revenue to enable the County to address the problem of deteriorating roads throughout the County.

Chairman Craig encouraged everyone to be vaccinated against COVID. Statistics show that 99% of those in hospitals now are unvaccinated.

**ADJOURNMENT**

Commissioner Sammy Hall made a motion to adjourn the meeting at 7:00 p.m. Commissioner Kendrick Butts seconded the motion and it passed unanimously.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "H. Craig".

Henry R. Craig  
Chairman

A handwritten signature in blue ink, appearing to read "Cynthia K. Cunningham".

Cynthia K. Cunningham  
County Clerk

**VI.**  
**BALDWIN COUNTY**  
**RECREATION FACILITY**  
**USE POLICY FOR ACTIVITIES**  
**OTHER THAN USE BY DEPARTMENT**  
**APPROVED SPORTS ASSOCIATIONS**

**A. OVERVIEW:**

The County believes that:

- 1) County recreation facilities are public property and, as such, should be made available for public use to further recreational, educational, cultural and civic activities for all county residents;
- 2) The un-programmed and unregulated use of County recreation facilities can result in damage to those facilities and inconvenience to the users;
- 3) Working guidelines for facility reservation and use are necessary; and
- 4) Certain costs are incurred in the use of County recreation facilities, which should be shared by the users.

**B. GOAL:**

The goal of the County is to provide activities that are recreational, educational, cultural, or for civic purposes and to reserve facilities for those purposes whenever possible.

**C. PROHIBITED OR LIMITED USES**

Use of public facilities for monetary gain by any person, firm, or corporation is prohibited, subject to the following exceptions:

1.) Health, educational and government organizations that provide proof of their non-profit status and their certification of IRS 501C3 may request the use of Baldwin County recreation Department facilities at no charge. Non-profit entities must offer charitable, health related or governmental services to the public at no cost and for one day or a short series of classes. The request must be made on the organization's letterhead at least (30) days prior to the event. The event must be approved by the Recreation Director and the County Manager.

2.) Political events may be allowed so long as every candidate is allowed equal treatment at the facility with no indication that the County, department, or staff supports or promotes a particular candidate or party and no political solicitation that would be disruptive or unwelcome to other users at the park shall be allowed; and

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3.) Organizations that conduct sports/recreational camps or training or sponsor tournaments. The fees to be charged must be specifically approved by the Board of Commissioners and these activities are subject to the provisions more fully set out in Section IV C. (18.) of these policies and procedures; and

#### **D. GENERAL REGULATIONS**

1) Users under this regulation are also subject to the General Regulations and Ordinances set out in this set of policies and procedures and the Ordinances set out herein. In addition, certain activities may be subject to the policies and procedures in place for the use of facilities by County approved sports organizations. All of these policies and procedures are to be considered cumulative and in the event of any conflict, then County may require adherence to the most restrictive provision and/or the provision most favorable to County. Regulations regarding the use of facilities by County approved sports associations shall be in accord with separate regulations that apply specifically to games, activities, financial reporting, and facility use that apply to those associations. Those associations are subject to the General Regulations set out herein, but in the event of conflict, the specific regulations regarding those associations shall apply.

2) The County reserves the right to prohibit, rescind or change the use of facilities, without notice, regardless of prior approval for use.

3) County recreation facilities may not be used for any purpose prohibited by law. In addition, lewd and abusive language, threats, assault, vandalism, theft, and all other inappropriate actions will result in immediate removal from the premises and prosecution when appropriate.

4) Application for the use of any County recreation facility can be denied at the discretion of the County. Use of facilities will be withheld for events not related to general public welfare. Applicant will receive proof of reservation.

5) Applicants granted use of facilities are responsible for the proper supervision of all participants and spectators. Those participants under the age of 18 years are not to be left unattended at any time.

6) Applicants granted use of facilities will be held liable and responsible for any personal injury or property damage resulting from the lack of supervision or poor supervision of participants and spectators.

7) Any problems encountered with the facility must be reported to the Recreation Department as soon as possible after the conclusion of the activity.

8) Proper use of facilities is of utmost importance. Individuals or organizations failing to abide by the provisions of this policy will be asked to curtail their event(s) and may be denied further use of recreation facilities.

9) Facilities must be left clean and orderly. All trash and/or materials used must be placed in the trash or removed from the premises.

10) Users of County recreation facilities automatically assume responsibility and liability for all damages and loss to County property that occurs while using said facilities.

- 11) Parking is permitted in designated parking areas only.
- 12) Violation of the parking policy will result in revocation of the applicant's privilege to continue utilizing County recreation facilities.
- 13) There is included herein under Paragraph F. the format for the Facility Use Application, with place for approval thereof. The executed permit (or a copy thereof) must be with the user group's representative at all scheduled activities and presented, upon request, to any county official.
- 14) NO ALCOHOLIC BEVERAGES ARE TO BE CONSUMED, DISPENSED OR BROUGHT INTO OR ONTO COUNTY RECREATION FACILITIES OR PROPERTIES. THERE WILL BE NO EXCEPTIONS.
- 15) Activity(ies) shall begin and end within the approved time frame.
- 16) The County requires security to be present at cost to the renter for all events. Baldwin County Sheriff Department deputies are required for weekend evening events.
- 17) Noise must be kept to a minimum so as not to disturb others utilizing the facility and the residents within the area.
- 18) County facilities are non-smoking facilities and smoking will be allowed only in areas that may be specifically designated by the Director.
- 19) Signs, banners and other such material require the specific approval as to size, content and location by the Director and the County Manager.

**E. PROCEDURES AND REQUIREMENTS:**

The following procedures and requirements must be followed and met in order for any permit to be considered and/or issued:

- 1) Applications for facility use permits must be made in writing on the County Facility Use Permit form. Only fully completed applications accompanied by all other necessary paperwork and fees will be considered.
  - 2) Fees are required for use of certain facilities and must be included at time of application. A rental does not get put on the calendar until half of the fees are paid and the rental agreement is signed. Fees are refundable only if reservation is cancelled within 2 weeks of the event. No refunds will be granted if any violations of this agreement occur. Please see SCHEDULE OF USE FEES established and maintained by the Board of Commissioners, with copies available at the Department offices.
  - 3) The cost to repair or replace any damage shall be billed to the renter. Users will be notified in writing by the Recreation Department of any such damage and if a charge will be assessed.
  - 4) A Certificate of Insurance is required at time of application for all Sporting Event applications for facility use, unless specifically waived by the Director, upon approval by the County Manager. Insurance must provide satisfactory evidence of insurance protection for participants, spectators, coaches and the public within the following terms and conditions. The applicant must
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maintain Commercial General Liability insurance with limits of liability not less than \$500,000 per occurrence and aggregate. The policy will provide coverage for the user's activity at the approved facilities and shall state such facilities on the certificate of Insurance. The Certificate shall name the County as the Certificate Holder and as Additional Insured for the full duration of the use of the facility. The certificate shall have the following language:

**Additional Insured:**

The name of the organization endorsed as Additional Insured for all endorsements shall read "Baldwin County Board of County Commissioners."

**Indemnification:**

The Contractor/Renter shall indemnify, defend and hold harmless the County, its offices, agents and employees from and against any and all claims, losses or liability, or any portion thereof, including attorney's fees and costs, arising from injury or death to persons, including injuries, sickness, disease or death to contractor's/renter's own employees or damage to property occasioned by a negligent act, omission or failure of the Contractor/Renter.

- 5) Written copies of all rosters/registration lists/etc. complete with names, home addresses and/or places of employment may be required and, if requested, must be submitted by the applicant prior to the issuance of a permit.
  - 6) As to priority of use, in the event of conflict between requests, priority will be given to activities conducted by the Department; then to County sports associations then in full compliance with Department policies; then to recreational activities for youth groups; then to recreational activities for adults; then to charitable, non-profit organizations; and then to others. The Director may alter this priority to insure greater benefit for the citizens of Baldwin County. Scheduled paid events will not be bumped for any reason.
  - 7) Any solicitation for funds and/or any advertisement for any event shall in no way indicate sponsorship or approval of the event by County; or indicate in any way that any contribution or sponsorship is for the benefit of the Recreation Department, or that any such sponsorship or contribution affords tax treatment afforded direct contributions to a governmental entity.
  - 8) Under special circumstances, an organization may apply to have County enter into a cooperative agreement for an event. The event must promote a public benefit and encourage broad citizen and/or tourist participation. Cooperative agreements include, but are not limited to, fee reduction on facilities and use of equipment, waiver of certain requirements set out herein, and/or un-reimbursed staff hours as a public donation to the event. Cooperative agreements must be approved by the Director and the County Manager. The Recreation Department must be given credit in any and all advertising and promotions as a contributor.
  - 9) County may require written authorization to conduct such credit, criminal, and/or background checks on applicants or the principals of corporate applicants as it deems appropriate, with the costs thereof to be paid by Applicant.
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**RECREATION DEPARTMENT FACILITY RENTAL FEE SCHEDULE**

<b>Facilities/Fee Type</b>	<b>Price Per Hour (Minimum 4 Hours)</b>	<b>Price Contract 6 Meetings</b>	<b>Security or Application Fee</b>
Banquet Room with Kitchen	\$100 Per hour	\$25 per hour	\$20 per hour for non-peak events; \$30 per hour for Fri & Sat nights
Classrooms	\$25 per hour	\$20 per hour	\$20 per hour
Gymnasium (Athletic Events Only)	\$500 per court per day		\$20 per hour for non-peak events; \$30 per hour for Fri & Sat nights
Collins P Lee Center (Meetings only M-F)	\$25 per hour		
Fields	\$150 per field per day for multi day events; \$170 per field per day for single day events		\$20 per hour