

MORGAN COUNTY COMMISSION ADJOURNED MEETING

The Morgan County Commission of Morgan County, Alabama, re-convened in an adjourned meeting on Thursday, March 28th, 2013, at 9:00 A.M. in the Conference Room of the Morgan County Commission Office, County Courthouse, Decatur, Alabama. The following members were present: Mr. Ray Long, Chairman; Mr. Randy Vest, Mr. Don Stisher and Mr. Greg Abercrombie, members. Absent: Mr. Jeff Clark, member and Mrs. Julie Reeves, Clerk. Mrs. Belinda Ealey and Mrs. Robbie Alexander acted as the Clerks of the Meeting. The Chairman stated that a quorum was present and declared the Meeting open for the transaction of business.

VISITORS

Bill Shinn, County Attorney	Greg Bodley, County Engineer
Derrick Shull, WYAM 51	Clif Knight, Hartselle Enquirer
Ben Montgomery, Decatur Daily	Donna Townson
David Hannah, Data Processing	John Allison, Archives
Debra Gardner, Commission On Aging / MCATS	

AGENDA

The Agenda for the adjourned meeting of Thursday, March 28th, 2013, had been presented to the Commission for review.

After due consideration it is therefore ordered by the Commission on motion of Mr. Don Stisher, seconded by Mr. Greg Abercrombie, and unanimously carried that the Agenda be, and are hereby approved for Thursday, March 28th, 2013.

OLD BUSINESS:

ADOPT RESOLUTION FOR THE ACCEPTANCE OF BID FOR THE *LOW BIDDER MEETING SPECIFICATIONS FOR THE SOMERVILLE SENIOR CENTER PROJECT

Bidder	Base Bid	Alt. #1	Alt. #2	Alt. #3
Adams Building Co.	\$258,500	+ \$3,000	- \$4,200	+ \$4,800
Boyett Construction	335,000	+ 247	- 2,600	+ 2,207
Burton Builders				
Complete Construction	294,264	+ 2,500	- 4,800	+ 2,500
Construction Specialties	515,600	- 1,500	- 6,000	+ 2,500
Dymac Contracting	268,800	+ 5,000	- 2,800	+ 2,800
*ETECH CONSTRUCTION	254,176	+ 8,500	- 3,100	+ 3,959
Garber Construction	299,900	+ 3,500	- 6,500	+ 2,200
Joiner Construction	303,000	+ 4,956	- 2,600	+ 2,243
McCutcheon Construction				
Mitchell Industrial Contractors				
Northwest Bama Builders				
Pacific Construction				
Rick Hall Construction	308,207	0	- 2,990	0
Triple J. Construction	304,500	- 2,000	- 3,000	+ 3,000

Mr. Randy Vest, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Don Stisher, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-185

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby accepts the base bid of \$254,176.00 with alternate #1, alternate #2, and alternate #3, submitted by Etech Construction as the low bidder meeting specifications for the Somerville Senior Center, this the 28th day of March, 2013.

ADOPT RESOLUTION REJECTING ALL BIDS RECEIVED FOR THE ELEVATOR MAINTENANCE FOR THE MORGAN COUNTY BUILDINGS AND AUTHORIZE THE CHAIRMAN TO REBID

Mr. Greg Abercrombie, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Randy Vest, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-186

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby rejects all bids received for the elevator maintenance for the Morgan County buildings and authorize the Chairman to rebid, this the 28th day of March, 2013.

NEW BUSINESS:

REVIEWED AND APPROVED INVOICES FROM TRIDENT INSURANCE IN THE AMOUNT OF \$38,411.76 REPRESENTING LEGAL SERVICES REGARDING CLAIMS FILED AGAINST THE MORGAN COUNTY COMMISSION

The Chairman brought to the attention of the Commission that he was in receipt of invoices from Trident Insurance in the amount of \$38,411.76 representing legal services regarding the claims filed against Morgan County Commission by the following:

Claim #TNT-0100489, \$1,054.50	Glenda Lockhart, Sheriff's Dept.
Claim #TNT-0089862, \$37,357.26	Mauris Lavern Thompson, Probate

After due consideration it is therefore ordered by the Commission on motion of Mr. Randy Vest, seconded by Mr. Greg Abercrombie, and unanimously carried that the invoice be approved as presented.

It is further ordered by the Commission on motion of Mr. Randy Vest, seconded by Mr. Greg Abercrombie, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$38,411.76 to Trident Insurance representing legal services regarding the claims filed against the Morgan County Commission.

REVIEWED AND APPROVED INVOICE FROM AAPP IN THE AMOUNT OF \$125.00 REPRESENTING MEMBERSHIP DUES FOR BELINDA EALEY, CHIEF ADMINISTRATIVE OFFICER, AND MARSHA KEENEY, PAYROLL / BENEFITS OFFICER FOR 2013

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$125.00 representing membership dues for Belinda Ealey, Chief Administrative Officer, and Marsha Keeney, Payroll / Benefits Officer for 2013.

After due consideration it is therefore ordered by the Commission on motion of Mr. Don Stisher, seconded by Mr. Greg Abercrombie, and unanimously carried that the invoice be approved as presented.

It is further ordered by the Commission on motion of Mr. Don Stisher, seconded by Mr. Greg Abercrombie, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$125.00 to AAPP representing membership dues for Belinda Ealey, Chief Administrative Officer, and Marsha Keeney, Payroll / Benefits Officer for 2013.

REVIEWED AND APPROVED INVOICE FROM UNDERWOOD ASSOCIATES IN THE AMOUNT OF \$800.00 REPRESENTING PROFESSIONAL FEES FOR SIDEWALK AND LANDSCAPING PROJECT FOR MCATS

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$800.00 from Underwood Associates representing professional fees for sidewalk and landscaping project for MCATS.

After due consideration it is therefore ordered by the Commission on motion of Mr. Randy Vest, seconded by Mr. Don Stisher and unanimously carried that the invoice be approved as presented.

It is further ordered by the Commission on motion of Mr. Randy Vest, seconded by Mr. Don Stisher, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$800.00 to Underwood Associates representing professional fees for sidewalk and landscaping project for MCATS.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO ENTER INTO A UTILITY AGREEMENT WITH JOE WHEELER EMC TO RELOCATE POWER LINES AT DANVILLE ROAD FOR PROJECT MCP 52-127-10, DISTRICT 1 AND DISTRICT 2

Mr. Randy Vest, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Greg Abercrombie, it was put to a vote and unanimously adopted; to wit:

RESOLUTION 13-187

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes the Chairman to enter into a Utility Agreement with Joe Wheeler EMC to relocate power lines at Danville Road for Project MCP 52-127-10, District 1 and District 2, this the 28th day of March, 2013.

ADOPT RESOLUTION APPROVING CERTIFICATE TO SUBDIVIDE PROPERTY LOCATED WITHIN MORGAN COUNTY, JOSEPH J. BOOTH – CABBAGE PATCH ROAD – DISTRICT 4

Mr. Greg Abercrombie, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Don Stisher, it was put to a vote and unanimously adopted; to wit:

RESOLUTION 13-188

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby approves the Certificate to Subdivide property located within Morgan County, Joseph J. Booth – Cabbage Patch Road – District 4, this the 28th day of March, 2013

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE THE CONTRACT FOR THE PROVISION OF OFFICE SPACE TO LEGAL SERVICES ALABAMA DECATUR INTAKE OFFICE LOCATED AT THE MORGAN COUNTY COURTHOUSE, ROOM 500, EFFECTIVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012

Mr. Don Stisher, member of the Commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Greg Abercrombie, it was put to a vote and unanimously adopted; to wit:

RESOLUTION 13-189

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes the Chairman to execute the contract for the Provision of Office Space to Legal Services Alabama Decatur Intake Office located at the Morgan County Courthouse, Room 500, effective for the fiscal year beginning October 1, 2012, this the 28th day of March, 2013.

ADOPT RESOLUTION APPROVING JOB CLASSIFICATION CHANGE FOR THE POSITION OF MORGAN COUNTY MCATS DRIVER

Mr. Randy Vest, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Don Stisher, it was put to a vote and unanimously adopted; to wit:

RESOLUTION 13-190

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby approves the job classification change for the position of Morgan County MCATS Driver, this the 28th day of March, 2013.

ADOPT RESOLUTION AUTHORIZING THE REFUND OF SALES TAX IN THE AMOUNT OF \$2,140.81 SUBMITTED BY CAMPBELL & WARD PETROLEUM/SHANEYFELT SHAVINGS FOR THE MONTHS OF JANUARY 2010 THROUGH JANUARY 2013

Mr. Don Stisher, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Greg Abercrombie, it was put to a vote and unanimously adopted; to wit:

RESOLUTION 13-191

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes the refund of sales tax in the amount of \$2,140.81 submitted by Campbell & Ward Petroleum/Shaneyfelt Shavings for the months of January 2010 through January 2013, this the 28th day of March, 2013.

ADOPT RESOLUTION AUTHORIZING CHAIRMAN TO ADVERTISE FOR BIDS FOR THE UPGRADE OF THE AS400

Mr. Don Stisher, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Randy Vest, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-192

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes the Chairman to advertise for bids for the upgrade of the AS400, this the 28th day of March, 2013.

ADOPT RESOLUTION AUTHORIZING DEBRA RAINS, COMMISSION ON AGING, TO HIRE PART-TIME SENIOR CENTER MANAGER FOR HARTSELLE LOCATION, AT \$8.18 PER HOUR WITH NO BENEFITS

Mr. Randy Vest, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Greg Abercrombie, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-193

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes Debra Rains, Commission on Aging, to hire part-time Senior Center Manager for Hartselle location, at \$8.18 per hour with no benefits, this the 28th day of March, 2013.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO ADVERTISE FOR BIDS FOR THE UPGRADING OF MORGAN COUNTY PHONE SERVERS

Mr. Greg Abercrombie, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Don Stisher, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-194

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes the Chairman to advertise for bids for the upgrading of Morgan County phone servers, this the 28th day of March, 2013.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AMENDMENT TO THE AGREEMENT BETWEEN MORGAN COUNTY AND NELSON ENGINEERING FOR INCREASE OF PLANS AND SPEC FEE ON THE SOMERVILLE SENIOR CENTER PROJECT, FROM THE AMOUNT OF \$8,000.00 TO \$9,751.00

Mr. Randy Vest, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Don Stisher, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-195

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes the Chairman to execute amendment to the agreement between Morgan County and Nelson Engineering for increase of Plans and Spec Fee on the Somerville Senior Center project, from the amount of \$8,000.00 to \$9,751.00, this the 28th day of March, 2013.

REVIEWED AND APPROVED INVOICE FROM NELSON ENGINEERING IN THE AMOUNT OF \$1,751.00 REPRESENTING INCREASE OF PLANS AND SPEC FEE ON THE SOMERVILLE SENIOR CENTER PROJECT

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$1,751.00 from Nelson Engineering representing increase of Plans and Spec Fee on the Somerville Senior Center project.

After due consideration it is therefore ordered by the Commission on motion of Mr. Randy Vest, seconded by Mr. Greg Abercrombie and unanimously carried that the invoice be approved as presented.

It is further ordered by the Commission on motion of Mr. Randy Vest, seconded by Mr. Greg Abercrombie, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$1,751.00 to Nelson Engineering representing increase of Plans and Spec Fee on the Somerville Senior Center project.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO ENTER INTO CONTRACT WITH S.S. NESBITT CO., INC. FOR PROVIDING PROFESSIONAL SERVICES FOR PROVISIONS RELATING TO HEALTHCARE REFORM AT AN ANNUAL FEE OF \$9,500.00

WITH THE CONTRACT SUBJECT TO APPROVAL OF CHAIRMAN AND COUNTY ATTORNEY

Mr. Don Stisher, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Greg Abercrombie, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-196

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes the Chairman to enter into contract with S.S. Nesbitt Co., Inc. for providing professional services for provisions relating to healthcare reform at an annual fee of \$9,500.00 with the contract subject to approval of Chairman and County Attorney, this the 28th day of March, 2013.

ADOPT RESOLUTION AUTHORIZING THE PROBATE JUDGE'S OFFICE TO ACCEPT CREDIT AND DEBIT CARDS TO BE PROCESSED AS CREDIT ONLY, AS PAYMENT FOR SERVICES RENDERED. ALL CUSTOMERS MUST AGREE AT THE POINT OF SALE TO BE RESPONSIBLE FOR ANY CONVENIENCE, PROCESSING FEES, OR SERVICES FEES TO USE THE SERVICE, WITH NO FINANCIAL IMPACT ON MORGAN COUNTY OR THE MORGAN COUNTY PROBATE JUDGE'S OFFICE

Mr. Randy Vest, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Don Stisher, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-197

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes the Probate Judge's Office to accept credit and debit cards to be processed as credit only, as payment for services rendered. All customers must agree at the point of sale to be responsible for any convenience, processing fees, or services fees to use the service, with no financial impact on Morgan County or the Morgan County Probate Judge's Office, this the 28th day of March, 2013.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE THE CONTRACT WITH HEARTLAND PAYMENT SYSTEMS/IMS ENTERPRISES FOR PROVIDING THE SERVICE FOR THE MORGAN COUNTY PROBATE JUDGE'S OFFICE TO ACCEPT CREDIT AND DEBIT CARD PAYMENTS

Mr. Greg Abercrombie, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Don Stisher, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-198

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes the Chairman to execute the contract with Heartland Payment Systems/IMS Enterprises for providing the service for the Morgan County Probate Judge's Office to accept credit and debit card payments, this the 28th day of March, 2013.

ADOPT RESOLUTION AUTHORIZING JOHN ALLISON, MORGAN COUNTY ARCHIVIST, FROM TIME TO TIME, TO ENTER INTO CONTRACTS ON BEHALF OF MORGAN COUNTY FOR THE EXHIBITION AND DISPLAY OF THE WORK OF ART KNOWN AS SCOTTSBORO BOYS, *OUTSIDE THE CIRCLE OF HUMANITY* AND TO DETERMINE WITHIN A RANGE OF \$1,000.00 - \$1,500.00 THE FEE TO BE CHARGED FOR THE DISPLAY AND EXHIBITION OF SUCH WORK OF ART. THE MORGAN COUNTY ARCHIVIST WILL WORK WITH THE COUNTY ATTORNEY IN DRAFTING AND PROPOSING FOR USE IN SUCH TRANSACTION AN APPROPRIATE CONTRACT

Mr. Don Stisher, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Randy Vest, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-199

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes John Allison, Morgan County Archivist, from time to time, to enter into contracts on behalf of Morgan County for the exhibition and display of the work of art known as *Scottsboro Boys, Outside The Circle of Humanity* and to determine within a range of \$1,000.00 - \$1,500.00 the fee to be charged for the display and exhibition of such work of art. The Morgan County Archivist will work with the County attorney in drafting and proposing for use in such transaction an appropriate contract, this the 28th day of March, 2013.

ADOPT RESOLUTION AUTHORIZING THE RENOVATIONS AT MORGAN COUNTY FARM SERVICES BUILDING AT HIGHWAY 36 WEST, HARTSELLE, AS A PUBLIC WORKS PROJECT AND AUTHORIZE COMMISSIONER RANDY VEST TO SOLICIT QUOTES FOR THIS PROJECT (D2)

Mr. Randy Vest, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Greg Abercrombie, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-200

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes the renovations at Morgan County Farm Services Building at Highway 36 West, Hartselle, as a Public Works Project and authorize Commissioner Randy Vest to solicit quotes for this project, this the 28th day of March, 2013.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE THE LEASE AGREEMENT BETWEEN MORGAN COUNTY COMMISSION AND THE UNITED STATES OF AMERICA REPRESENTING THE U.S. DEPARTMENT OF AGRICULTURE AND FARM SERVICE AGENCY LEASING 4,831 USABLE SQUARE FEET OF OFFICE SPACE AT 3120 HWY. 36 W, HARTSELLE, ALABAMA, IN THE AMOUNT OF \$6,716.00 PER MONTH, EFFECTIVE ONCE RENOVATIONS ARE COMPLETE (C)

Mr. Don Stisher, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Greg Abercrombie, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-201

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes the Chairman to execute the Lease Agreement between Morgan County Commission and the United States of America representing the U.S. Department of Agriculture and Farm Service Agency leasing 4,831 usable square feet of office space at 3120 Hwy. 36 W, Hartselle, Alabama, in the amount of \$6,716.00 per month, effective once renovations are complete, this the 28th day of March, 2013.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO ADVERTISE FOR BIDS FOR LIGHTING AND WIRING THE WEST PARK SOCCER FIELD AT MORGAN COUNTY WEST PARK, FUNDED BY WEST PARK FUNDS (D2)

Mr. Randy Vest, member of the commission, offered the following resolution and moved its adoption. Upon the same being duly seconded by Mr. Don Stisher, it was put to a vote and unanimously adopted; to wit:

R E S O L U T I O N 13-202

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission hereby authorizes the Chairman to advertise for bids for lighting and wiring the West Park Soccer Field at Morgan County West Park, funded by West Park funds, this the 28th day of March, 2013.

BE IT FURTHER RESOLVED by the Morgan County Commission of Morgan County, Alabama, that there being no further business to come before the Commission, the same on motion of Mr. Don Stisher, seconded by Mr. Greg Abercrombie and unanimously carried that the Morgan County Commission duly adjourned at 9:40 A.M. to Tuesday, April 9th, 2013 at 9:00.

These Minutes were approved this the 9th day of April, 2013.

RAY LONG, CHAIRMAN

JEFF CLARK, MEMBER

RANDY VEST, MEMBER

DON STISHER, MEMBER

GREG ABERCROMBIE, MEMBER