

## MORGAN COUNTY COMMISSION REGULAR MEETING

The Morgan County Commission of Morgan County, Alabama, convened in a regular meeting on Tuesday, June 24, 2014, 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. Jeff Clark, Mr. Randy Vest, Mr. Don Stisher, and Mr. Greg Abercrombie, members. Absent: N/A. Mrs. Belinda Ealey, Mrs. Julie Reeves, 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	James C. Fields, Jr., Lt. Governor Candidate
Greg Bodley, County Engineer	Beau Bowden, Campaign Personnel
Clif Knight, Hartselle Enquirer	Riley Barnacastle, Campaign Personnel
Leah Cayson, Decatur Daily	Debra Gardner, Director of MCATS/COA

### PUBLIC COMMENT

Mr. James C. Fields, Jr., Democratic candidate for Lieutenant Governor for the State of Alabama addressed the Commission.

### AGENDA

The Agenda for the regular meeting of Tuesday, June 24, 2014, had been presented to the Commission for review. The Agenda was amended as follows.

#### **New Business:**

##### Item #8 – Removed

Adopt resolution authorizing the Chairman to execute the change order with Triple J. Construction, LLC on the MCATS Sidewalk Project.

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 Tuesday, June 24, 2014.

### MINUTES

The Minutes of the Regular meeting held on Tuesday, June 10, 2014, at 9:00 a.m. had been presented to the Commission by email for their review.

After due consideration it is therefore ordered by the Commission on motion of Mr. Randy Vest, seconded by Mr. Jeff Clark, and unanimously carried that there being no further additions or corrections to the above listed minutes, they are hereby approved.

#### **OLD BUSINESS:**

N/A

#### **NEW BUSINESS:**

#### **ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE CONTRACT WITH THE FOLLOWING FOR PROMOTION OF MORGAN COUNTY, PAYABLE OUT OF THE TOURISM, RECREATION AND CONVENTION FUND:**

- **Danville Booster Club (Football Program) ----- \$200.00**

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

#### **RESOLUTION 14-295**

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BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to execute contract with the following for promotion of Morgan County, payable out of the Tourism, Recreation and Convention Fund:

- Danville Booster Club (Football Program) --- \$200.00

THIS the 24<sup>th</sup> day of June, 2014.

**ADOPT RESOLUTION AUTHORIZING KIM THURSTON, DIRECTOR OF COMMUNITY CORRECTIONS, TO FILL THE POSITION OF PART-TIME LAB TECH, \$8.18 PER HOUR, NO BENEFITS.**

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 14-296**

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby authorize Kim Thurston, Director of Community Corrections, to fill the position of part-time Lab Tech, \$8.18 per hour, no benefits, this the 24<sup>th</sup> day of June, 2014.

**ADOPT RESOLUTION AUTHORIZING AMANDA SCOTT, REVENUE COMMISSIONER, TO FILL THE POSITION OF ASSESSMENT CLERK, GRADE 2 (\$9.97 – \$13.01).**

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

**RESOLUTION 14-297**

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby authorize Amanda Scott, Revenue Commissioner, to fill the position of Assessment Clerk, Grade 2 (\$9.97 - \$13.01), this the 24<sup>th</sup> day of June, 2014.

**ADOPT RESOLUTION APPROVING PURCHASE OF RIGHT-OF-WAY IN THE AMOUNT OF \$675.00 (TRACT 1) FOR BRIDGE REPLACEMENT PROJECT MCP 52-135-12, RESCUE 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 14-298**

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby approve purchase of Right-Of-Way in the amount of \$675.00 (Tract 1) for Bridge Replacement Project MCP 52-135-12, Rescue Road, District 4, this the 24<sup>th</sup> day of June, 2014.

**ADOPT RESOLUTION APPROVING THE CERTIFICATE TO SUBDIVIDE AND CONSOLIDATE PROPERTIES LOCATED WITHIN MORGAN COUNTY.**

Mr. Randy Vest, member of the Commission, offered the motion to approve the following Certificates to subdivide and consolidate properties located within Morgan County:

- Kathryn Whisenant and Rescue United Methodist Church – Union Hill Road – District 4
- Rayburn D. and E. Ann Brown – Sharpley Road – District 2
- Edwin H. Francis, Jr. – Hunter Francis Road – District 3
- Ray Warren – Hopewell Road – District 2

After being duly seconded by Mr. Jeff Clark, it was put to a vote and unanimously carried that the Certificates be approved as presented:

**RESOLUTION 14-299**

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby approve certificate to subdivide and consolidate property located within Morgan County for Kathryn Whisenant and Rescue United Methodist Church – Union Hill Road – District 4, this the 24<sup>th</sup> day of June, 2014.

**RESOLUTION 14-300**

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BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby approve certificate to subdivide and consolidate property located within Morgan County for Rayburn D. and E. Ann Brown – Sharpley Road – District 2, this the 24<sup>th</sup> day of June, 2014.

**RESOLUTION 14-301**

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby approve certificate to subdivide and consolidate property located within Morgan County for Edwin H. Francis, Jr. – Hunter Francis Road – District 3, this the 24<sup>th</sup> day of June, 2014.

**RESOLUTION 14-302**

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby approve certificate to subdivide and consolidate property located within Morgan County for Ray Warren – Hopewell Road – District 2, this the 24<sup>th</sup> day of June, 2014.

**ADOPT RESOLUTION AUTHORIZING WAYNE LINDLEY, BUILDING SUPERINTENDENT, TO FILL THE POSITION OF ASSISTANT BUILDING SUPERINTENDENT (1404), GRADE 8 (\$17.26 - \$22.52).**

Mr. Don Stisher, 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 14-303**

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby authorize Wayne Lindley, Building Superintendent, to fill the position of Assistant Building Superintendent (1404), Grade 8 (\$17.26 - \$22.52), this the 24<sup>th</sup> day of June, 2014.

**ADOPT RESOLUTION AUTHORIZING RICKY BROOKS, DIRECTOR OF ENVIRONMENTAL SERVICES, TO PURCHASE FROM OTTO ENVIRONMENTAL, UNDER THE H-GAC PURCHASING COOPERATIVE, 456 CARTS FOR A TOTAL COST OF \$23,370.00, PAYABLE OUT OF ENVIRONMENTAL SERVICES FUND BALANCE.**

Mr. Jeff Clark, 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:

**RESOLUTION 14-304**

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby authorize Ricky Brooks, Director of Environmental Services, to purchase from Otto Environmental, under the H-GAC purchasing cooperative, 456 carts for a total cost of \$23,370.00, payable out of Environmental Services Fund balance, this the 24<sup>th</sup> day of June, 2014.

**ADOPT RESOLUTION AUTHORIZING JEFF CLARK, DISTRICT 1 COMMISSIONER, TO MAKE A DONATION OF \$3,000.00 TO PRICEVILLE ELEMENTARY SCHOOL FOR PARKING LOT MAINTENANCE, PAYABLE OUT OF DISTRICT 1 ROAD AND BRIDGE FUND.**

Mr. Jeff Clark, 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:

**RESOLUTION 14-305**

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby authorize Jeff Clark, District 1 Commissioner, to make a donation of \$3,000.00 to Priceville Elementary School for parking lot maintenance, payable out of District 1 Road and Bridge Fund, this the 24<sup>th</sup> day of June, 2014.

**ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO ADVERTISE FOR BIDS FOR GPS AND ALCOHOL MONITORING SERVICES FOR THE MORGAN COUNTY COMMUNITY CORRECTIONS AND COURT SERVICES.**

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 14-306**

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BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to advertise for bids for GPS and Alcohol Monitoring Services for the Morgan County Community Corrections and Court Services, this the 24<sup>th</sup> day of June, 2014.

**ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE THE FOLLOWING CHANGE ORDER WITH WALKER BROTHERS, LTD ON THE PRESSBOX/CONCESSION BUILDING PROJECT AT BRINDLEE MOUNTAIN PARK, DISTRICT 4:**

- **Change Order #1 ----- Increase of \$79,650.00**  
(Consisting of New Septic Tank System, Drop Ceilings, Re-work Electrical, Re-route Plumbing with contract time increased by thirty days.)

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 14-307**

BE IT RESOLVED by the Morgan County Commission, of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to execute the following change order with Walker Brothers, LTD on the Pressbox/Concession Building Project at Brindlee Mountain Park, District 4:

- Change Order #1 ----- Increase of \$79,650.00  
(Consisting of New Septic Tank System, Drop Ceilings, Re-work Electrical, Re-route Plumbing with contract time increased by thirty days.)

THIS the 24<sup>th</sup> day of June, 2014.

**REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$65,455.00 FROM WALKER BROTHERS, LTD REPRESENTING APPLICATION 6 FOR BRINDLEE MOUNTAIN PRESSBOX/CONCESSION BUILDING PROJECT.**

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount \$65,455.00 from Walker Brothers, LTD representing Application 6 for Brindlee Mountain Pressbox/Concession Building project.

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

It is further ordered by the Commission on motion of Mr. Greg Abercrombie, seconded by Mr. Don Stisher, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount \$65,455.00 to Walker Brothers, LTD representing Application 6 for Brindlee Mountain Pressbox/Concession Building project.

**REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$150.00 FROM GMIS INTERNATIONAL REPRESENTING MEMBERSHIP DUES FOR DAVID HANNAH, DIRECTOR OF DATA PROCESSING, EFFECTIVE JULY 1, 2014 – JUNE 30, 2015.**

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$150.00 from GMIS International representing membership dues for David Hannah, Director of Data Processing, effective July 1, 2014 – June 30, 2015.

After due consideration it is therefore ordered by the Commission on motion of Mr. Randy Vest, seconded by Mr. Jeff Clark, 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. Jeff Clark, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$150.00 to GMIS International representing membership dues for David Hannah, Director of Data Processing, effective July 1, 2014 – June 30, 2015.

**ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN AND THE COUNTY ATTORNEY, OR EITHER OF THEM, TO REQUEST AN ADDITIONAL OPINION FROM THE ATTORNEY GENERAL OF ALABAMA RELATING TO A PROPOSED CONTRACT FOR INMATE TELEPHONE SERVICES AT THE MORGAN COUNTY JAIL.**

Mr. Jeff Clark, 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:

**RESOLUTION 14-308**

**BE IT RESOLVED BY** the Morgan County Commission that the Chairman and the County Attorney, or either of them, be and they are hereby authorized to request an additional opinion from the Attorney General of Alabama concerning the following issues related to the proposed procurement of an inmate telephone system for the Morgan County Jail:

1. If the contract documents do not expressly provide that the vendor will be the exclusive provider of such system and its components but, as a practical matter, it is not likely the County will authorize more than one vendor to provide such system and its components, will such contract constitute an "exclusive franchise" within the meaning of Article I, §22 of the Constitution of Alabama of 1901?

2. If the answer to question 1 is "yes", will the proposed contract nevertheless be exempt from competitive bidding under *Ala. Code* §41-16-51(a)(15) since it involves "contractual services and purchases of products related to, or having an impact upon, security plans, procedures, assessments, measures, or systems, or the security or safety of persons, structures, facilities, or infrastructures"?

THIS the 24<sup>th</sup> day of June, 2014.

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**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 to Tuesday, July 8, 2014, at 9:00 a.m.

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These Minutes were approved  
this the 8<sup>th</sup> day of July, 2014.

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RAY LONG, CHAIRMAN

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JEFF CLARK, MEMBER

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RANDY VEST, MEMBER

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DON STISHER, MEMBER

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GREG ABERCROMBIE, MEMBER