

MORGAN COUNTY COMMISSION REGULAR MEETING

The Morgan County Commission of Morgan County, Alabama, convened in a regular meeting on Tuesday, March 10, 2015, 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, and Mr. Don Stisher, members. Absent: Mr. Greg Abercrombie, member. 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
Greg Bodley, County Engineer
Clif Knight, Hartselle Enquirer
Briana Harris, Decatur Daily
Derrick Shull, WYAM TV 51
Sam Chatman, Citizen
Ed Jackson, Citizen

COMMENT

The Chairman stated that the meeting scheduled for Thursday, February 26, 2015 was not held because of inability to obtain a quorum due to icy roads.

AGENDA

The Agenda for the meeting of Tuesday, March 10, 2015, had been presented to the Commission for review. The Agenda was amended as follows:

Item #13 – Removed

Adopt resolution authorizing the Chairman to execute the Facilities Solutions Agreement with Cintas Corporation for rental service of uniforms and facility services for Morgan County Commission Departments and Morgan County Transportation in accordance with the U.S. Communities purchasing cooperative awarded Contract RFP#12-JLH-011 beginning April 1, 2015 through March 31, 2017.

Item #42 – Changed

Adopt resolution authorizing the Chairman to declare the following District 2 vehicles and miscellaneous items as surplus and to sell on GovDeals.com with proceeds to be returned to proper department and fund:

- 1988 Mack Van VIN# VG6BA01A9JB001730
- 1970 Chevrolet C-50 VIN# CE530P165079
- ~~Spreader S/N10840443 Prop. #0718 & #0719 - REMOVED~~
- Gravely Zero Turn Mower 260Z S/N000103 Prop. #004054
- Copier
- 3 in 1 Fax, Copier, Scanner
- (4) Chain Saws
- Various Shop Lights and Furniture
- 16' Van Box removed from 2004 F650 Ford

After due consideration it is therefore ordered by the Commission on motion of Mr. Don Stisher, seconded by Mr. Randy Vest, and unanimously carried that the Agenda be, and are hereby approved for Tuesday, March 10, 2015.

MINUTES

The Minutes of the meeting held on Tuesday, February 10, 2015 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. Jeff Clark, seconded by Mr. Randy Vest, and unanimously carried that there being no further additions or corrections to the above listed minutes, they are hereby approved.

OLD BUSINESS:

ADOPT RESOLUTION FOR THE ACCEPTANCE OF QUOTE AND AUTHORIZATION FOR CHAIRMAN TO ENTER INTO CONTRACT FOR BUILDING EQUIPMENT SHEDS AT DISTRICT 1 SHOP, SUBMITTED BY CECIL PIGG CONSTRUCTION, IN THE AMOUNT OF \$35,500.00 AND CERTIFY THE CONTRACT TO BE AWARDED IS LET IN COMPLIANCE WITH THE PUBLIC WORKS LAW AND ALL OTHER APPLICABLE PROVISIONS OF THE LAW.

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 15-158

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve the acceptance of quote and authorization for Chairman to enter into contract for building equipment sheds at District 1 Shop, submitted by Cecil Pigg Construction, in the amount of \$35,500.00 and certify the contract to be awarded is let in compliance with the Public Works Law and all other applicable provisions of the law, this the 10th day of March, 2015.

NEW BUSINESS:

IN COMPLIANCE WITH ACT NO. 129 OF THE 1939 ALABAMA LEGISLATURE, ELECT A VICE CHAIRMAN TO SERVE DURING 2015, WHICH BY RESOLUTION OF JANUARY 2004 IS DISTRICT 1 COMMISSIONER'S ROTATION.

Mr. Don Stisher, 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 15-159

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby state in compliance with Act No. 129 of the 1939 Alabama Legislature, elect a Vice Chairman to serve during 2015, which by resolution of January 2004 is District 1 Commissioner's rotation, this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING SEAN DAILEY, PARKS & RECREATION DIRECTOR, TO FILL TWO (2) POSITIONS OF GROUNDSKEEPERS FOR MORGAN COUNTY PARKS, GRADE 4 (\$12.65 - \$16.51).

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 15-160

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize Sean Dailey, Parks & Recreation Director, to fill two (2) positions of Groundskeepers for Morgan County Parks, Grade 4 (\$12.65 - \$16.51), this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING MICHELLE ECHOLS, DIRECTOR OF SALES TAX AND LICENSE ENFORCEMENT, TO FILL THE POSITION OF PROFESSIONAL PART-TIME LICENSE ENFORCEMENT OFFICER, \$10.20 PER HOUR, NO BENEFITS.

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 15-161

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize Michelle Echols, Director of Sales Tax and License Enforcement, to

fill the position of professional part-time License Enforcement Officer, \$10.20 per hour, no benefits, this the 10th day of March, 2015.

ADOPT RESOLUTION APPROVING EXPENDITURE OF \$1,000.00 PAYABLE OUT OF THE CONTINGENCY FUND, TO MORGAN COUNTY FIREFIGHTERS ASSOCIATION.

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 15-162

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve expenditure of \$1,000.00 payable out of the Contingency Fund, to Morgan County Firefighters Association, this the 10th day of March, 2015.

ADOPT RESOLUTION TO ENTER INTO UTILITY AGREEMENT WITH JOE WHEELER EMC TO RELOCATE UTILITIES AT VAUGHN BRIDGE ROAD FOR BRIDGE REPLACEMENT PROJECT ABRZ59675-ATRP (009) - 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. Jeff Clark, it was put to a vote and unanimously adopted to wit:

RESOLUTION 15-163

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby enter into Utility Agreement with Joe Wheeler EMC to relocate utilities at Vaughn Bridge Road for bridge replacement Project ABRZ59675-ATRP (009) - District 2, this the 10th day of March, 2015.

ADOPT RESOLUTION TO ACCEPT EASEMENT FROM TENNESSEE VALLEY AUTHORITY FOR RIVER LOOP ROAD, DISTRICT 4.

Mr. Don Stisher, 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 15-164

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby accept easement from Tennessee Valley Authority for River Loop Road, District 4, this the 10th day of March, 2015.

ADOPT RESOLUTION TO ENTER INTO UTILITY AGREEMENT WITH WEST MORGAN EAST LAWRENCE WATER AND SEWER AUTHORITY TO RELOCATE WATER LINES AT VAUGHN BRIDGE ROAD FOR BRIDGE REPLACEMENT PROJECT STPOA-5213(), MCP 52-136-12 – 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. Jeff Clark, it was put to a vote and unanimously adopted to wit:

RESOLUTION 15-165

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby enter into Utility Agreement with West Morgan East Lawrence Water and Sewer Authority to relocate water lines at Vaughn Bridge Road for bridge replacement Project STPOA-5213(), MCP 52-136-12 – District 2, this the 10th day of March, 2015.

ADOPT RESOLUTION APPROVING CERTIFICATES TO SUBDIVIDE AND CONSOLIDATE PROPERTY LOCATED WITHIN MORGAN COUNTY.

Mr. Randy Vest, member of the Commission, offered the motion to approve the following Certificates to Subdivide and Consolidate Property located within Morgan County for:

- Jerry Montgomery and Mary Montgomery
Murphy Road, Southeast and Simmons Road – District 4
 - Ricky and Pamela E. Crowe
Guyer Cove Road and Cotaco-Florette Road – District 4
-

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

RESOLUTION 15-166

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 in Morgan County for Jerry Montgomery and Mary Montgomery – Murphy Road, Southeast and Simmons Road – District 4, this the 10th day of March, 2015.

RESOLUTION 15-167

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 in Morgan County for Ricky and Pamela E. Crowe – Guyer Cove Road and Cotaco-Florette Road – District 4, this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING AN AMENDMENT OF THE CERTIFICATE OF INCORPORATION OF THE MORGAN COUNTY INDUSTRIAL PARK AND ECONOMIC DEVELOPMENT COOPERATIVE DISTRICT.

Mr. Don Stisher, 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 15-168

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize an amendment of the Certificate of Incorporation of The Morgan County Industrial Park and Economic Development Cooperative District, this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING JEFF CLARK, DISTRICT 1 COMMISSIONER, TO FILL THE POSITION OF EQUIPMENT OPERATOR 3, GRADE 7 (\$16.05 - \$20.94).

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 15-169

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize Jeff Clark, District 1 Commissioner, to fill the position of Equipment Operator 3, Grade 7 (\$16.05 - \$20.94), this the 10th day of March, 2015.

ADOPT RESOLUTION SUPPORTING THE DEVELOPMENT OF A NEW STATE OF ALABAMA HEALTH FACILITY IN MORGAN COUNTY, ALABAMA, TO INCLUDE (A) AN AUTHORIZATION THAT THE CHAIRMAN EXECUTE A JOINT DEVELOPMENT AGREEMENT WITH THE ALABAMA PUBLIC HEALTH CARE AUTHORITY FOR THE CONSTRUCTION OF A NEW MORGAN COUNTY PUBLIC HEALTH FACILITY; (B) AN AUTHORIZATION THAT THE CHAIRMAN IN CONNECTION THEREWITH ACQUIRE FOR A PURCHASE PRICE OF \$200,000.00 THE PROPOSED SITE FOR SUCH NEW FACILITY; (C) AN AUTHORIZATION TO DONATE SUCH PROPOSED SITE TO THE ALABAMA PUBLIC HEALTH CARE AUTHORITY; AND (D) AN AUTHORIZATION TO ADVANCE UP TO \$300,000.00 TO ASSIST THE ALABAMA PUBLIC HEALTH CARE AUTHORITY TO RETIRE ITS CURRENT 2005 LEASE REVENUE BOND INDEBTEDNESS.

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 15-170

RESOLUTION SUPPORTING THE DEVELOPMENT OF A NEW STATE OF ALABAMA HEALTH FACILITY IN MORGAN COUNTY, ALABAMA AND AUTHORIZING THE COMMISSION CHAIRMAN TO EXECUTE A JOINT DEVELOPMENT AGREEMENT WITH THE ALABAMA PUBLIC HEALTH CARE AUTHORITY FOR THE CONSTRUCTION OF A NEW MORGAN COUNTY PUBLIC HEALTH FACILITY

WHEREAS, in 1998 Morgan County, Alabama, a body corporate, acting by and through the Morgan County Commission ("Morgan County"), pursuant to an agreement between Morgan County, The Alabama Public Health Care Authority ("APHCA") and the Alabama Department of Public Health ("ADPH"), conveyed title and ownership of the land and building(s) comprising the Morgan County public health facility located at 510 Cherry Street, NE, Decatur, Alabama to the APHCA. The real estate transferred by such agreement is more particularly described as follows, to wit:

Parcel No. 1 of a Re-Plat of Parcels 1, 2 & 3 of Well Street Project, Project No. ALA. R-14, Housing Authority of the City of Decatur & City of Decatur, Alabama, as shown by map or plat of said subdivision of record in Map Book 5, Page 101 & 102, Office of the Judge of Probate of Morgan County, Alabama

WHEREAS, as partial consideration for the above described transfer of property, APHCA agreed to assist in financing, managing and supervising certain improvements and renovations to the existing Morgan County public health facility. In part, the funds needed and necessary to complete the improvements and renovations were derived from the APHCA's Mortgage Revenue Bonds, Series 1996 bond funds and constituted an investment of approximately \$875,000.00. The above described land and improvements were pledged as security for APHCA's issuance of its Series 1996 Mortgage Revenue Bonds. In addition to APHCA's Mortgage Revenue Bond contribution, Morgan County contributed approximately \$300,000.00 to the health department's renovation project and in return was granted an option to repurchase the existing facility pursuant to the terms and conditions set forth in that certain Option To Purchase Agreement dated August 21, 1998 and recorded for record in the probate office of Morgan County, Alabama. A true and correct copy of said agreement is attached hereto and incorporated herein by reference as Exhibit "A";

WHEREAS, in 2005, the Alabama Public Health Care Authority issued its Series 2005 Lease Revenue Bonds in the aggregate principal amount of \$57,975,000. APHCA had previously issued its Mortgage Revenue Bonds, Series 1996, dated May 15, 1996 (the "Refunded Bonds") in the original aggregate principal amount of \$30,000,000. The Refunded Bonds were issued to finance the initial acquisition, construction and equipping of certain public health care facilities in the State of Alabama, including but not limited to the improvements of the Morgan County public health care facility. The Series 2005 Bonds were issued to accomplish an advance refunding of the Series 1996 Mortgage Revenue Bonds and to finance the acquisition construction and equipping of certain additional public health care facilities in the State of Alabama. In connection therewith, the APHCA entered into a new Trust Indenture with First Commercial Bank, as "Trustee" and a Lease (the "Lease") with the ADPH and re-pledged the Morgan County land and facilities as security for the 2005 Lease Revenue Bonds;

WHEREAS, the Morgan County public health facility described above is currently owned by the APHCA subject to the Morgan County option agreement identified above and the security interest held by the bond holders of the APHCA's Series 2005 Lease Revenue Bonds;

WHEREAS, representatives of Morgan County, the Morgan County public health officials, the APHCA and the ADPH have determined that the existing public health facility is not suitable for the future administration and/or provision of public services to the citizens of the Morgan County service area and that further, the county is in need of a newly constructed and a more operationally efficient public health facility;

WHEREAS, Morgan County has the opportunity to acquire approximately 4.5 acres of an existing approximately 8 acre parcel of vacant land situated at 3827 Hwy 31 fronting Highway 31 in Morgan County, Alabama (the "Hwy 31 Site") that, subject to certain debris removal and related site improvements, is suitable for the construction of a new public health facility;

WHEREAS, the Owner of the Hwy 31 Site is willing to sell the 4.5 acre site to Morgan County for the total sum of \$200,000.00;

WHEREAS, Morgan County, the APHCA and the ADPH desire to enter into a joint development agreement for the construction and development of a new public health facility;

MORGAN COUNTY OBLIGATIONS

WHEREAS in order to obtain the necessary funding and support for the new public health care facility to be constructed in Morgan County on the HWY 31 Site, Morgan County will be required to do the following:

1. Enter into a standard real estate purchase contract with Jeff Parker, Lourie Peek, Mickey Fowler and Lisa S. Bates ("Sellers") to acquire the Hwy 31 Site for a purchase price of \$200,000.00.

2. Agree to convey the Hwy 31 Site to The Alabama Public Health Care Authority for a public purpose, namely the construction and operation of a Health Department in order to meet the County's present and future health needs;
3. Enter into the Joint Development Agreement in the form attached hereto as Exhibit "B";
4. After the application of a \$100,000.00 payment by the APHCA and/or ADPH towards the payoff price, Morgan County shall pay the APHCA up to \$300,000.00 towards the payoff of the current 2005 Lease Revenue Bond indebtedness applicable to the Morgan County public health facility in order to obtain a release and clear title to the current public health facility and exercise its Option to Purchase under the terms and conditions of Exhibit "A".

ADPH/APHCA OBLIGATIONS

WHEREAS in order to obtain the transfer of title to the Hwy 31 Site and receive the financial contributions from Morgan County as set forth hereinabove, APHCA and ADPH will be required to do the following:

1. Enter into a standard real estate transfer agreement with Morgan County, as Seller to acquire the Hwy 31 Site without payment of a purchase price but for the consideration set forth below;
2. Enter into the Joint Development Agreement in the form attached hereto as Exhibit "B";
3. Agree to accept conveyance of the Hwy 31 Site for a public purpose, namely the construction and operation of a Health Department in order to meet the County's present and future health needs;
4. Take any and all reasonable steps and actions necessary and appropriate to release the facility and real property located at 510 Cherry Street, NE, Decatur, Alabama in Morgan County from the 2005 Lease Revenue Bonds and related Trust Indenture with First Commercial Bank and the Lease with the ADPH, including but not limited to paying \$100,000.00 towards the retirement of the existing debt of the Morgan County facility.

WHEREAS in consideration and subject to all of the above the construction costs for the new health care facility will be at no cost to Morgan County.

THEREFORE, BE IT RESOLVED BY THE MORGAN COUNTY COMMISSION, while in regular session on March 10, 2015, at 9 a.m., as follows:

1. For and in consideration of The Alabama present and future health needs of the people of Morgan County, at no cost to the County, the County shall
 - A. Enter into a standard real estate purchase contract with Jeff Parker, Lourie Peek, Mickey Fowler and Lisa S. Bates ("Sellers") to acquire the Hwy 31 Site for a purchase price of \$200,000.00.
 - B. Agree to convey the Hwy 31 Site to The Alabama Public Health Care Authority for a public purpose, namely the construction and operation of a Health Department in order to meet the County's present and future health needs;
 - C. Enter into the Joint Development Agreement in the form attached hereto as Exhibit "B";
 - D. After the application of a \$100,000.00 payment by the APHCA and/or ADPH towards the payoff price, pay the APHCA up to \$300,000.00 towards the payoff of the current 2005 Lease Revenue Bond indebtedness in order to obtain a release and clear title to the current public health facility and exercise its Option to Purchase under the terms and conditions of Exhibit "A".
2. The Chairman of the Morgan County Commission is hereby directed and authorized to:
 - A. Execute the appropriate real estate purchase agreement to acquire the Hwy 31 Site consistent with this Resolution;
 - B. Execute the proper documents to exercise the County's Option to repurchase the existing health care facility located at 510 Cherry Street, NE, Decatur, Alabama or \$100.00 consistent with Exhibit "A";
 - C. Execute the Joint Development Agreement attached hereto as Exhibit "B"; and,
 - D. Execute a deed and any and all documents necessary to the transfer, in the name of the County, conveying the County's interests in the newly acquired Hwy 31 Site to The Alabama Public Health Care Authority, and is further authorized to execute of said property interest to The Alabama Public Health Care Authority.

Adopted this the 10th day of March, 2015.

EXHIBIT "A"

OPTION TO PURCHASE AGREEMENT

STATE OF ALABAMA)
MORGAN COUNTY)

STATE OF ALA. MORGAN COUNTY
I CERTIFY THIS INSTRUMENT WAS FILED
1998 OCT -1 10:56

OPTION TO PURCHASE AGREEMENT

RECORDED AT THE TAX & RECORDS DEPARTMENT
BEEN PD ON THIS INSTRUMENT
JUDGE OF PROBATE

This Option to Purchase Agreement (this "Agreement") entered into this 21st day of August, 1998, by and between the Morgan County, Alabama, a body corporate, acting by and through the Morgan County Commission (the "County"), The Alabama Public Health Care Authority, a public corporation organized and existing under the laws of the State of Alabama (the "Authority"), and the Alabama Department of Public Health (the "Health Department").

WHEREAS, simultaneously with the execution hereof, the County has executed a Warranty Deed (the "Deed") conveying that certain parcel of real property described in Exhibit "A" attached hereto and made a part hereof (such parcel being herein referred to as the "Premises") to the Authority;

WHEREAS, pursuant to the provisions of a Lease Agreement dated as of May 1, 1996 by and between the Authority and the Health Department (the "Bond Lease"), the Authority intends to lease the Premises to the Health Department for use as a public health facility;

WHEREAS, the Bond Lease provides that the Health Department shall have the right to purchase the Premises for nominal consideration at the end of the Bond Lease;

WHEREAS, pursuant to the provisions of a Mortgage and Trust Indenture dated as of May 1, 1996 (the "Indenture"), the Authority has agreed to assign the rents to be received from the Health Department, and to mortgage the properties (including, but not limited to, the Premises) leased to the Health Department, to SouthTrust Bank of Alabama, National Association, as trustee (the "Trustee"), as security for the Series 1996 Bonds (the "Bonds") that have been issued by the Authority, the proceeds of which are being used to construct a series of public health facilities for lease to and operation by the Health Department; and

WHEREAS, as an inducement to the County to convey the Premises to the Authority for use by the Health Department, the Authority and the Health Department desire to grant to the County an option to purchase the Premises upon the occurrence of certain events.

NOW, THEREFORE, in consideration of the foregoing matters and other good and valuable consideration, the County, the Authority and the Health Department hereby agrees as follows:

Section 1. Definitions.

"Indebtedness" shall mean all indebtedness of the Authority secured by, and issued under, the Indenture.

"Option" shall mean the option to purchase the Premises granted to the County pursuant to Section 2 hereof.

"Option Period" shall mean the one hundred eighty (180) day period beginning on the date on which the County receives notice that the Indebtedness is paid in full.

"Owner" shall mean the Authority at such times during the Term that the Authority is the owner of fee simple title to the Premises. "Owner" shall mean the Health Department at such times during the Term that the Health Department is the owner of fee simple title to the Premises.

Section 2. Option. The Authority and the Health Department each covenant that at any time during the Option Period, the County shall have the right to purchase the Premises from the Owner for and in consideration of the sum of One Hundred Dollars (\$100.00). In order to exercise the Option, the County shall provide written notice to the Owner of its intention to exercise the Option. Such notice shall be provided within the Option Period, and the purchase of the Premises shall be consummated within sixty (60) days after the Owner's receipt of such notice. In the event the County fails to exercise the Option within the Option Period, the Option shall terminate and the Owner shall be entitled to lease or sale such property upon the same terms and conditions contained in the Offer to any third party free of this restriction. The Option shall continue to exist throughout the Option Period, unless released of record by the County, after which said option shall be terminated and of no force and effect.

Section 3. Priority of Indenture and Lease. This Agreement and the rights and privileges granted to the County hereby are specifically made subject to (i) rights, benefits, options and privileges of the Trustee under the Indenture and (ii) the rights, benefits, options and privileges of the Health Department under the Bond Lease. Furthermore, the Option shall terminate and be of no force and effect in the event of the possession, acquisition, sale or disposition of the Premises by the Trustee pursuant to Section 13.2 of the Indenture.

Section 4. Health Department Obligations. Nothing contained herein shall be interpreted to restrict, abrogate, hinder, impede or otherwise affect the Health Department's obligations to provide public health services pursuant to state or federal law.

Section 5. Control of Premises. Nothing contained herein shall be interpreted to grant to, or create in favor of, the County any right to control the use or operation of the Premises at any time prior to the exercise of the Option and the consummation of the transaction contemplated thereby.

Section 6. Notices. All notices required under this Agreement shall be in writing and shall be effective when delivered or sent by registered or certified mail, addressed to the following addresses or such other address as may from time to time be designated in writing:

If to the County:

Morgan County Commission
P.O. Box 668
Decatur, AL 35602
Attn: Chairman

If to the Authority:

Alabama Public Health Care Authority
301 West Clairborne
P. O. Box 609
Monroeville, Alabama 36461

If to the Department:

Alabama Department of Public Health
P.O. Box 303017
Montgomery, Alabama 36130-3017

Section 7. Controlling Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Alabama.

Section 8. Entire Agreement. This Agreement, along with the Deed, constitutes the entire agreement between the parties hereto with regard to the matters contained herein, and it is understood and agreed that all previous undertakings, negotiations and agreements between the parties hereto and their respective officers, directors and agents are merged herein.

Section 9. Assignment. The rights granted to the County pursuant to this Agreement shall not be assigned, sold, conveyed or transferred without the prior written consent of the Authority and the Health Department.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first set forth above.

MORGAN COUNTY, ALABAMA

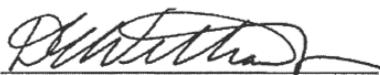
By The Morgan County Commission

By: 
Its: CHAIRMAN

THE ALABAMA PUBLIC HEALTH CARE AUTHORITY

By: 
Its: SECRETARY/TREASURER

THE ALABAMA DEPARTMENT OF PUBLIC HEALTH

By: 
Its: STATE HEALTH OFFICER

STATE OF ALABAMA)
MORGAN COUNTY)

I, the undersigned Notary Public in and for said County in said State, hereby certify that Larry Bennick, whose name as Chairman of the Morgan County Commission, is signed to the foregoing Option to Purchase Agreement and who is known to me, acknowledged before me on this day that, being informed of the contents of the Option to Purchase Agreement, he, in his capacity as such Chairman, executed the same voluntarily on the day the same bears date.

Given under my hand this 28 day of May, 1998.

[SEAL]

Miriam Sturgis
Notary Public
My commission expires: 8-22-00

STATE OF ALABAMA)
Montgomery COUNTY)

I, the undersigned Notary Public in and for said County in said State, hereby certify that Frederick B. Wendler, whose name as Secretary/Treasurer of The Alabama Public Health Care Authority, is signed to the foregoing Option to Purchase Agreement and who is known to me, acknowledged before me on this day that, being informed of the contents of the Option to Purchase Agreement, he, in his capacity as such Secretary/Treasurer, executed the same voluntarily on the day the same bears date.

Given under my hand this 21st day of August, 1998.

[SEAL]

Janet M. Huxton
Notary Public
My commission expires: 12-21-99

STATE OF ALABAMA)
Montgomery COUNTY)

I, the undersigned Notary Public in and for said County in said State, hereby certify that Donald E. Williamson, whose name as State Health Officer of The Alabama Department of Public Health, is signed to the foregoing Option to Purchase Agreement and who is known to me, acknowledged before me on this day that, being informed of the contents of the Option to Purchase Agreement, he, in his capacity as such State Health Officer, executed the same voluntarily on the day the same bears date.

Given under my hand this 20th day of August, 1998

[SEAL]

Jaime P. Crook
Notary Public
My Commission expires May 13, 2002

EXHIBIT "A"

Parcel #1 according to A Re-Plat of Parcels 1, 2 & 3 of Well Street Project No. ALA. R-14, Housing Authority of the City of Decatur & The City of Decatur, Alabama as recorded in Plat Book 5, Page 101 and 102 in the office of the Judge of Probate, Morgan County, Alabama.

EXHIBIT "B"

JOINT DEVELOPMENT AGREEMENT

This Agreement is made on March 10th, 2015, by MORGAN COUNTY, a body corporate, acting by and through the Morgan County Commission and a political subdivision of the State of Alabama, (herein referred to as GRANTOR), and THE ALABAMA PUBLIC HEALTH CARE AUTHORITY, a public corporation organized under the laws of the State of Alabama (hereinafter referred to as GRANTEE).

WHEREAS, the Alabama Department of Public Health ("ADPH") and the GRANTEE have been supervising and administering a Building Program which has included the development and construction of new public health care facilities in many counties in the State of Alabama, provided the county could make a suitable parcel of land available for the project; and

WHEREAS, Morgan County, Alabama, is in need of a new county health facility to house the public health department's clinical and administrative offices and staff; and

WHEREAS, the Morgan County Health Department has far outgrown its present building and the present facility has inadequate space to house and provide all the clinical and administrative needs of the Morgan County Health Department; and

WHEREAS, the citizens of Morgan County, Alabama will have their health, welfare and general quality of life enhanced and improved by the construction of a new public health care facility in Morgan County; and

WHEREAS, GRANTOR intends to purchase a parcel of real estate which has been determined to be suitable for the purposes stated hereinabove and which it will convey by statutory warranty deed to the GRANTEE on or before the 15th day of March, 2015 for the construction of a new public health care facility.

WHEREAS, prior to the conveyance described above the GRANTOR has agreed to make certain improvements to the site and to provide, as needed, engineered fill to prepare the site for the construction of the new public health care facility and the GRANTEE has committed to construct a new public health facility on the property and to provide for certain costs associated with the site review planning and acquisition.

NOW, THEREFORE, in consideration of the promises, covenants and agreements set forth herein, GRANTOR and GRANTEE agree as follows:

1. The GRANTOR agrees to purchase approximately 4.5 acres of vacant land situated at 3827 Hwy 31 fronting Highway 31 in Morgan County, Alabama (the "Hwy 31 Site") and the GRANTOR acknowledge that the public health facility to be constructed upon the Hwy 31 Site shall be constructed with some of the proceeds from GRANTEE'S Series 2015 Bond Issue and that the property will be used to partially secure said Bonds.
 2. The GRANTEE agrees to pay the cost of a Phase I environmental study of the Hwy 31 Site.
 3. The GRANTOR shall provide GRANTEE, at GRANTEE'S costs, a current ALTA boundary line survey and an Owner's Title Insurance Policy.
 4. GRANTEE shall provide appropriate expert services to determine that the Hwy 31 Site is at all elevations outside any designated flood zones as determined by the Federal Emergency Management Agency (FEMA) and depicted on currently, published FEMA Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map (FHBM). To the extent that any portion of the Hwy 31 Site needs engineered fill added to raise the property elevation above the designated flood zones, GRANTOR agrees to supply to the site sufficient engineered fill to raise the property elevation and GRANTEE shall supply the labor and equipment to spread, compact and prepare the site for the receipt of the new public health facility.
 5. A visual inspection of the Hwy 31 site revealed the presence of some construction debris located in the NW corner of the site. To the extent that such construction debris has not been removed prior to closing, GRANTOR agrees to remove or cause the current Owners to remove the construction debris located in the NW corner of the Hwy 31 Site, at no cost to the GRANTEE.
 6. GRANTOR and GRANTEE shall cooperate and use their reasonable best efforts to cause the Hwy 31 Site to be annexed into the City of Decatur, Alabama and GRANTOR will further secure a proper zoning designation for the site to allow and permit the construction and operation of a public health care clinic on the Hwy 31 Site.
 7. GRANTEE will construct a new health building and health facility to meet present and future health needs of the people of Morgan County on the Hwy 31 site and will provide project funding in the approximate sum of \$3,000,000.00.
 8. GRANTOR and GRANTEE acknowledge and agree that the GRANTOR will exercise its option to repurchase the existing Morgan County public health care facility for \$100 and the title and occupancy of said facility shall be delivered by GRANTEE within 30 days of the substantial completion and occupancy of the new facility contemplated by the Agreement.
 9. This Agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, and assigns of the parties hereto.
 10. The GRANTEE shall have the right to assign its interest in this Agreement by delivery to the GRANTORS of an executed counterpart of the document contemplating the assignment.
 11. This Agreement may be executed in any number of counterparts, all of which when so executed and delivered shall constitute but one and the same instrument, and each of such counterparts shall, for all purposes, be deemed to be an original.
 12. This Agreement constitutes the entire agreement of the parties with respect to the subject matter hereof and supersedes any prior written or oral agreements between the parties with respect to the same. Neither this Agreement nor any provision hereof may be changed, amended, modified, waived or
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discharged orally by course of dealing, but only by an instrument in writing signed by the party against which enforcement of the change, amendment, modification, waiver or discharge is sought.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first set forth above.

MORGAN COUNTY, A BODY CORPORATE AND POLITICAL SUBDIVISION OF THE STATE OF ALABAMA

BY: _____
Ray Long, Chairman,
Morgan County Commission

ALABAMA PUBLIC HEALTH CARE AUTHORITY

By: _____

Its: _____

ADOPT RESOLUTION APPROVING EXCESS PROCEED CLAIMS ARISING FROM REVENUE COMMISSIONER’S TAX SALE FOR THE FOLLOWING:

- **Charles A. Moseley, Jr.**
Parcel 03-04-18-2-033-028.000 \$ 668.79
- **B, B & P, LLC and James W. Hill, III**
Parcel 02-08-34-2-000-004.018 \$3,871.13
Parcel 02-08-34-2-000-004.027 \$1,671.13
Parcel 02-08-34-2-000-004.023 \$4,671.13
Parcel 02-08-34-2-000-004.000 \$3,441.79
Parcel 02-08-34-2-000-004.026 \$4,871.13
Parcel 02-08-34-2-000-004.019 \$4,671.13

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:

RESOLUTION 15-171

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve excess proceed claim arising from Revenue Commissioner’s Tax Sale for Charles A. Moseley, Jr. – Parcel 03-04-18-2-033-028.000 - \$668.79, this the 10th day of March, 2015

RESOLUTION 15-172

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve excess proceed claims arising from Revenue Commissioner’s Tax Sale for the following:

- **B, B & P, LLC and James W. Hill, III**
Parcel 02-08-34-2-000-004.018 \$3,871.13
Parcel 02-08-34-2-000-004.027 \$1,671.13
Parcel 02-08-34-2-000-004.023 \$4,671.13
Parcel 02-08-34-2-000-004.000 \$3,441.79
Parcel 02-08-34-2-000-004.026 \$4,871.13
Parcel 02-08-34-2-000-004.019 \$4,671.13

This the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING THE COMMISSION TO APPROVE APPOINTMENT OF MR. BARRY M. STEPHENS TO THE WEST MORGAN-EAST LAWRENCE WATER AND SEWER AUTHORITY BOARD FOR A SIX-YEAR TERM, BEGINNING MARCH 10, 2015.

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 15-173

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Commission to approve appointment of Mr. Barry M. Stephens to the West Morgan-East Lawrence Water and Sewer Authority Board for a six-year term, beginning March 10, 2015, this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING THE COMMISSION TO APPROVE APPOINTMENT OF DR. H. FRANKLIN PENN, JR. TO THE MORGAN COUNTY DEPARTMENT OF HUMAN RESOURCES BOARD FOR A SIX-YEAR TERM, BEGINNING MARCH 10, 2015.

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 15-174

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Commission to approve appointment of Dr. H. Franklin Penn, Jr. to the Morgan County Department of Human Resources Board for a six-year term, beginning March 10, 2015, this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING SHARON MAXWELL, COMMISSIONER OF LICENSES, TO ELIMINATE ONE FULL TIME POSITION OF ASSESSMENT CLERK AND CREATE AND APPROVE SATELLITE OFFICE SUPERVISOR POSITION, GRADE 3 (\$11.42 - \$14.85).

Mr. Don Stisher, 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 15-175

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize Sharon Maxwell, Commissioner of Licenses, to eliminate one full time position of Assessment Clerk and create and approve Satellite Office Supervisor position, Grade 3 (\$11.42 - \$14.85), this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING THE MORGAN COUNTY COMMISSION TO INCREASE THE COMPENSATION OF THE MORGAN COUNTY CORONER TO \$1,999.50 PER MONTH BEGINNING MARCH 1, 2015.

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:

RESOLUTION 15-176

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Morgan County Commission to increase the compensation of the Morgan County Coroner to \$1,999.50 per month beginning March 1, 2015, this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN AND THE COUNTY ATTORNEY TO ENTER INTO AN AGREEMENT WITH CHAMPION OF DECATUR, INC. TO SETTLE CHAMPION OF DECATUR'S SALES TAX OBLIGATIONS TO MORGAN COUNTY FOR THE PERIOD OF JANUARY 1, 2011 THROUGH AUGUST 31, 2012 AND DISMISS, WITH PREJUDICE, LITIGATION CURRENTLY PENDING BETWEEN THE PARTIES RELATING TO SUCH SALES TAX LIABILITY. THE CHAIRMAN AND THE COUNTY ATTORNEY ARE HEREBY AUTHORIZED TO SIGN AND DELIVER ON BEHALF OF THE COUNTY ALL AGREEMENTS, PLEADINGS AND OTHER DOCUMENTS RELATING TO SUCH SETTLEMENT.

Mr. Jeff Clark, 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 15-177

WHEREAS, there is currently pending in the Circuit Court of Morgan County, Alabama litigation concerning the sales tax obligations of Champion of Decatur, Inc. to Morgan County for the time period of January 1, 2011 through August 31, 2012; and

WHEREAS the parties have reached an agreement by which Champion of Decatur, Inc. will pay to Morgan County in a lump sum a payment of \$120,000.00 in full satisfaction and discharge of Champion's sales tax obligations to Morgan County for such period of time; and

WHEREAS the Morgan County Commission has been requested to authorize such settlement and is doing so by adopting this resolution in a duly convened regular meeting at which a quorum is present:

NOW, THEREFORE, BE IT RESOLVED by the Morgan County Commission that Morgan County enter into a settlement agreement with Champion of Decatur, Inc. by which Champion of Decatur, Inc. will pay to Morgan County a lump sum payment of \$120,000.00 in full satisfaction and discharge of Champion's remaining sales tax obligations to Morgan County for the period of January 1, 2011 through August 31, 2012 and dismiss, with prejudice, the litigation currently pending between the parties relating to such sales tax liability, such being Civil Action No. 52-cv-2013 -900378 now pending in the Circuit Court of Morgan County, Alabama.

BE IT FURTHER RESOLVED that the Chairman and the County Attorney are hereby authorized to sign and deliver on behalf of the County all agreements, pleadings and other documents relating to said settlement, this the 10th day of March, 2015.

REVIEW AND APPROVE INVOICES TOTALING \$13,454.50 FROM HARRIS, CADDELL & SHANKS P.C. REPRESENTING PROFESSIONAL SERVICES FOR MORGAN COUNTY DEPARTMENTS FOR JANUARY 2015.

The Chairman brought to the attention of the Commission that he was in receipt of invoices totaling \$13,454.50 from Harris, Caddell & Shanks P.C. representing professional services for Morgan County Departments for January 2015.

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

It is further ordered by the Commission on motion of Mr. Don Stisher, seconded by Mr. Randy Vest, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$13,454.50 to Harris, Caddell & Shanks P.C. representing professional services for Morgan County Departments for January 2015.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$1,200.00 FROM MORGAN COUNTY CELEBRATION ARENA REPRESENTING ANIMAL BOARDING FEE FOR 2014.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$1,200.00 from Morgan County Celebration Arena representing animal boarding fee for 2014.

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

It is further ordered by the Commission on motion of Mr. Jeff Clark, seconded by Mr. Randy Vest, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$1,200.00 to Morgan County Celebration Arena representing animal boarding fee for 2014.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$50.00 FROM S. S. NESBITT REPRESENTING NOTARY BOND RENEWAL FOR DEBRA GARDNER, DIRECTOR OF TRANSPORTATION, EFFECTIVE FEBRUARY 4, 2015 THROUGH FEBRUARY 4, 2019.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$50.00 from S. S. Nesbitt representing Notary Bond renewal for Debra Gardner, Director of Transportation, effective February 4, 2015 through February 4, 2019.

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 \$50.00 to S. S. Nesbitt representing Notary Bond renewal for Debra Gardner, Director of Transportation, effective February 4, 2015 through February 4, 2019.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$56,700.00 FROM GODWIN BARNETT WOODS ARCHITECTS REPRESENTING PROFESSIONAL SERVICES

FOR NEW JAIL.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$56,700.00 from Godwin Barnett Woods Architects representing professional services for new jail.

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 \$56,700.00 to Godwin Barnett Woods Architects representing professional services for new jail.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$105.00 FROM ALABAMA ASSOCIATION OF BOARD OF REGISTRARS REPRESENTING 2015 MEMBERSHIP DUES FOR ADONIS BAILEY, LOUISE BROWN, AND KATE TERRY, \$35.00 EACH.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$105.00 from Alabama Association of Board of Registrars representing 2015 membership dues for Adonis Bailey, Louise Brown, and Kate Terry, \$35.00 each.

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

It is further ordered by the Commission on motion of Mr. Jeff Clark, seconded by Mr. Randy Vest, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$105.00 to Alabama Association of Board of Registrars representing 2015 membership dues for Adonis Bailey, Louise Brown, and Kate Terry, \$35.00 each.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$2,375.00 FROM S. S. NESBITT REPRESENTING CONSULTANT FEES FOR HEALTHCARE REFORM.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$2,375.00 from S. S. Nesbitt representing consultant fees for Healthcare Reform.

After due consideration it is therefore ordered by the Commission on motion of Mr. Don Stisher, 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. Don Stisher, seconded by Mr. Jeff Clark, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$2,375.00 to S. S. Nesbitt representing consultant fees for Healthcare Reform.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXTEND THE CURRENT CONTRACT FOR LAUNDRY AND DRY CLEANING SERVICES FROM MAY 1, 2015 THROUGH APRIL 30, 2016 WITH SEXTONS, INC. FOR SERVICES TO THE MORGAN COUNTY SHERIFF'S DEPARTMENT, JAIL, SECURITY, LICENSE INSPECTOR, AND RECYCLING OFFICER USING THE SAME PRICING, TERMS, AND CONDITIONS AS PREVIOUSLY BID.

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 15-178

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to extend the current contract for laundry and dry cleaning services from May 1, 2015 through April 30, 2016 with Sextons, Inc. for services to the Morgan County Sheriff's Department, Jail, Security, License Inspector, and Recycling Officer using the same pricing, terms, and conditions as previously bid, this the 10th day of March, 2015.

ADOPT RESOLUTION DECLARING APRIL 20 – APRIL 25, 2015 AS “SPRING CLEAN-UP WEEK” IN MORGAN COUNTY, WITH THE DISTRICT SHOPS TO BE CLOSED ON FRIDAY, APRIL 24 AND HOURS FOR SATURDAY, APRIL 25, 2015 BEING 7:00 A.M. – 11:00 A.M.

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 15-179

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby declare April 20 – April 25, 2015 as “Spring Clean-Up week” in Morgan County, with the District Shops to be closed on Friday, April 24 and hours for Saturday, April 25, 2015 being 7:00 a.m. – 11:00 a.m., this the 10th day of March, 2015.

REVIEW AND APPROVE INVOICES TOTALING \$694.00 FROM MEADOWBROOK, INC. REPRESENTING INSURANCE COVERAGE TO BE PAID BY VARIOUS DEPARTMENTS.

The Chairman brought to the attention of the Commission that he was in receipt of invoices totaling \$694.00 from Meadowbrook, Inc. representing insurance coverage to be paid by various departments.

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 invoices 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 totaling \$694.00 to Meadowbrook, Inc. representing insurance coverage to be paid by various departments.

ADOPT RESOLUTION AUTHORIZING THE COUNTY, ACTING BY AND THROUGH THE CHAIRMAN, TO ACCEPT A DEED OF GIFT FROM THE NORTHEAST MORGAN COUNTY WATER & SEWER AUTHORITY OF APPROXIMATELY ONE ACRE TRACT OF PROPERTY LOCATED AT 261 PARKS CHAPEL ROAD, LACEY’S SPRING, ALABAMA 35754.

Mr. Jeff Clark, 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 15-180

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the County, acting by and through the Chairman, to accept a deed of gift from the Northeast Morgan County Water & Sewer Authority of approximately one acre tract of property located at 261 Parks Chapel Road, Lacey’s Spring, Alabama 35754, this the 10th day of March, 2015.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$734.55 FROM NORTH ALABAMA REPORTING SERVICE, LLC REPRESENTING PROFESSIONAL SERVICES FOR SALES TAX OFFICE.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$734.55 from North Alabama Reporting Service, LLC representing professional services for Sales Tax office.

After due consideration it is therefore ordered by the Commission on motion of Mr. Don Stisher, seconded by Mr. Randy Vest, 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. Randy Vest, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$734.55 to North Alabama Reporting Service, LLC representing professional services for Sales Tax office.

REVIEW AND APPROVE THE FOLLOWING PERSONNEL CHANGES FOR FEBRUARY 2015:

Deletions

**Henry McMinn, Park & Rec
Stanley Smith, Park & Rec
Richard Potter, Jail
Bridgett Hokett, Jail
John Scott, District 1**

New Hires

**Cathy Thorn, Environmental
Jonnie Reid, Park & Rec
Kathy Holland, License
John Towns, Jail
Jeanney Ocampo-Martinez, Jail
Hershel Holley, Jail**

The Chairman brought to the attention of the Commission that he was in receipt of the personnel changes submitted from various county departments for their approval.

After due consideration it is therefore ordered by the Commission on motion of Mr. Jeff Clark, seconded by Mr. Randy Vest, and unanimously carried that the employee changes as per above, be, and are hereby approved as presented.

ADOPT RESOLUTION APPROVING CHECKS ISSUED FOR FEBRUARY 2015 TOTALING \$6,403,569.02.

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 15-181

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve the following checks issued for February, 2015, totaling \$6,403,569.02:

Morgan County Commission Disbursement Information for Agenda February 2015		
Account	Check Numbers	Total Amount
Accounts Payable	203798 - 204265	\$ 2,806,699.84
Payroll	215926 - 216750	78,540.34
Homeland Security Fund	1440 - 1440	3,000.00
Accounts Payable ACH	2229 - 2292	3,208,791.87
Payroll ACH	342 - 345	306,536.97
Total		\$ 6,403,569.02

THIS the 10th day of March, 2015.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$13,138.33 FROM MEADOWBROOK INSURANCE GROUP, INC., PAYABLE TO A.C.C.A.W.C.S. I.F. REPRESENTING ADDITIONAL WORKER’S COMPENSATION PREMIUM FOR THE PERIOD OF OCTOBER 1, 2013 TO OCTOBER 1, 2014, PER AUDIT, PAYABLE OUT OF VARIOUS COUNTY FUNDS.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$13,138.33 from Meadowbrook Insurance Group, Inc., payable to A.C.C.A.W.C.S. I.F. representing additional Worker’s Compensation premium for the period of October 1, 2013 to October 1, 2014, per audit, payable out of various County funds.

After due consideration it is therefore ordered by the Commission on motion of Mr. Don Stisher, 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. Don Stisher, seconded by Mr. Jeff Clark, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$13,138.33 to Meadowbrook Insurance Group, Inc., payable to A.C.C.A.W.C.S. I.F. representing additional Worker’s Compensation premium for the period of October 1, 2013 to October 1, 2014, per audit, payable out of various County funds.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE THE FOLLOWING CONTRACTS REPRESENTING THE PROMOTION OF MORGAN COUNTY, PAYABLE OUT OF TOURISM, RECREATION & CONVENTION FUND.

- **Sheriff’s Rodeo -- \$350.00**
- **Decatur Downtown Merchants Association (3rd Friday) -- \$1,000.00**
- **Decatur-Morgan County Chamber of Commerce (State of Healthcare) -- \$500.00**

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 15-182

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to execute the above mentioned contracts representing the promotion of Morgan County, payable out of Tourism, Recreation & Convention Fund, this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE THE CONTRACT WITH MORGAN COUNTY SHERIFF'S OFFICE FOR SHERIFF'S SPECIAL NEEDS RODEO IN THE AMOUNT OF \$1,000.00, PAYABLE OUT OF THE CONTINGENCY FUND.

Mr. Don Stisher, 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 15-183

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to execute the contract with Morgan County Sheriff's Office for Sheriff's Special Needs Rodeo in the amount of \$1,000.00, payable out of the Contingency Fund, this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING RANDY VEST, DISTRICT 2 COMMISSIONER, TO PURCHASE A 2005 FORD F750 BUCKET TRUCK FROM DECATUR UTILITIES IN THE AMOUNT OF \$35,000.00, TO BE PAID OUT OF DISTRICT 2 FUNDS.

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 15-184

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize Randy Vest, District 2 Commissioner, to purchase a 2005 Ford F750 Bucket Truck from Decatur Utilities in the amount of \$35,000.00, to be paid out of District 2 Funds, this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING THE REFUND OF SALES TAX IN THE AMOUNT OF \$1,072.37 SUBMITTED BY AIR PRODUCTS AND CHEMICALS, INC. FOR THE MONTH OF JANUARY 2015, DUE TO ERROR.

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 15-185

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the refund of sales tax in the amount of \$1,072.37 submitted by Air Products and Chemicals, Inc. for the month of January 2015, due to error, this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING DEBRA GARDNER, DIRECTOR OF COMMISSION ON AGING / MCATS, TO FILL THE POSITION OF PART-TIME SENIOR CENTER MANAGER, \$8.34 PER HOUR, NO BENEFITS.

Mr. Don Stisher, 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 15-186

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize Debra Gardner, Director of Commission On Aging / MCATS, to fill the position of part-time Senior Center Manager, \$8.34 per hour, no benefits, this the 10th day of March, 2015.

ADOPT RESOLUTION DESIGNATING WEDNESDAY, APRIL 8, 2015 AS "DANIELLE RICHARD DAY" IN MORGAN COUNTY.

Mr. Jeff Clark, 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 15-187

**PROCLAMATION
Danielle Richard Day
April 8, 2015**

WHEREAS, the Morgan County Commission seeks to recognize and honor local citizens for their positive contributions; and

WHEREAS, the Commission takes great pride in recognizing youth for serving as role models and examples of dedication and leadership; and

WHEREAS, Danielle Richard, a native of Priceville, Alabama, distinguished herself during her softball career at Priceville High School being named the ASWA 4A 2010 player of the year and setting Priceville High School single-season records while ranking second in the national single-season annals with 23 home runs; and

WHEREAS, Danielle's athletic abilities enabled her to earn a softball scholarship to the University of Alabama where she has excelled both on the field and in the classroom, being named as an NFCA All-American Scholar-Athlete during her Freshmen season and during her Junior year, appeared in 48 games including 36 starts; and

WHEREAS, the 2015 softball season marks Danielle's Senior Season; and

WHEREAS, each season the University of Alabama Softball team plays a game in or near the hometown of each senior; and

WHEREAS, the University of Alabama will play Middle Tennessee State University at Wilson-Morgan Park in Decatur on Wednesday, April 8, 2015 in a game played in honor of Priceville native, Danielle Richard;

NOW THEREFORE, I, Ray Long do hereby proclaim April 8, 2015 as Danielle Richard Day in Morgan County, Alabama and urge local citizens to recognize and celebrate her career accomplishments and for representing Priceville and Morgan County, Alabama with pride and great spirit.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH DEBRA HOLLINGSWORTH, DOING BUSINESS AS BRAIN FREEZZZ, A CONCESSIONAIRE, TO PROVIDE SERVICES FOR MORGAN COUNTY PARKS AS AN INDEPENDENT CONTRACTOR.

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 15-188

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to enter into an agreement with Debra Hollingsworth, doing business as Brain Freezzz, a concessionaire, to provide services for Morgan County Parks as an independent contractor, this the 10th day of March, 2015.

REVIEW AND APPROVE INVOICES TOTALING \$1,202.00 FROM TERRACON CONSULTANTS REPRESENTING PROFESSIONAL SERVICES FOR THE FOLLOWING:

- Cedar Creek Church road – District 3 \$236.00
- Cotaco-Florette Road – District 4 \$966.00

The Chairman brought to the attention of the Commission that he was in receipt of invoices totaling \$1,202.00 from Terracon Consultants representing above mentioned invoices for professional services.

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

It is further ordered by the Commission on motion of Mr. Don Stisher, seconded by Mr. Randy Vest, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$1,202.00 to Terracon Consultants representing professional services for the following:

- Cedar Creek Church Road – District 3 \$236.00
- Cotaco-Florette Road – District 4 \$966.00

ADOPT RESOLUTION AUTHORIZING SHARON MAXWELL, LICENSE COMMISSIONER, TO FILL THE POSITION OF ASSESSMENT CLERK, GRADE 2 (\$10.17 - \$13.27).

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 15-189

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize Sharon Maxwell, License Commissioner, to fill the position of Assessment Clerk, Grade 2 (\$10.17 - \$13.27), this the 10th day of March, 2015.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO DECLARE TWO (2) VEHICLES AND MISCELLANEOUS ITEMS AS SURPLUS AT THE DISTRICT 2 SHOP AND TO SELL ON GOVDEALS.COM WITH PROCEEDS TO BE RETURNED TO PROPER DEPARTMENT AND FUND.

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 15-190

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to declare the following District 2 vehicles and miscellaneous items as surplus and to sell on GovDeals.com with proceeds to be returned to proper department and fund:

- 1988 Mack Van VIN# VG6BA01A9JB001730
- 1970 Chevrolet C-50 VIN# CE530P165079
- Gravely Zero Turn Mower 260Z S/N000103 Prop. #004054
- Copier
- 3 in 1 Fax, Copier, Scanner
- (4) Chain Saws
- Various Shop Lights and Furniture
- 16' Van Box removed from 2004 F650 Ford

THIS the 10th day of March, 2015.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$16,111.00 FROM VOLKERT, INC. REPRESENTING PROGRAM MANAGEMENT SERVICES ON JAIL ANNEX, PAYMENT NUMBER 18.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$16,111.00 from Volkert, Inc. representing program management services on Jail Annex, payment number 18.

After due consideration it is therefore ordered by the Commission on motion of Mr. Don Stisher, 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. Don Stisher, seconded by Mr. Jeff Clark, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$16,111.00 to Volkert, Inc. representing program management services on Jail Annex, payment number 18.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$4,230.00 FROM MEADOWBROOK INSURANCE REPRESENTING CHANGES IN INSURANCE POLICY DUE TO INCREASED BUILDING VALUE ON LOCATION 21, 119 LEE STREET.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$4,230.00 from Meadowbrook Insurance representing changes in insurance policy due to increased building value on Location 21, 119 Lee Street.

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 \$4,230.00 to Meadowbrook Insurance representing changes in insurance policy due to increased building value on Location 21, 119 Lee Street.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$1,000.00 FROM ACCA REPRESENTING REGISTRATION FEE FOR PLAN 2016 FOR RANDY VEST,

DISTRICT 2 COMMISSIONER.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$1,000.00 from ACCA representing registration fee for PLAN 2016 for Randy Vest, District 2 Commissioner.

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 \$1,000.00 to ACCA representing registration fee for PLAN 2016 for Randy Vest, District 2 Commissioner.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$110.00 FROM NATIONAL ASSOCIATION OF COUNTY INFORMATION OFFICERS REPRESENTING MEMBERSHIP DUES AND AWARDS OF EXCELLENCE FOR SHERYL MARSH, COMMUNICATION DIRECTOR.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$110.00 from National Association of County Information Officers representing membership dues and Awards of Excellence for Sheryl Marsh, Communication Director.

After due consideration it is therefore ordered by the Commission on motion of Mr. Don Stisher, 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. Don Stisher, seconded by Mr. Jeff Clark, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$110.00 to National Association of County Information Officers representing membership dues and Awards of Excellence for Sheryl Marsh, Communication Director.

ADOPT RESOLUTION TO RE-SCHEDULE MEETING ORIGINALLY SCHEDULED FOR TUESDAY, MARCH 24, 2015 TO THURSDAY, MARCH 26, 2015, AT 9:00 A.M.

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:

RESOLUTION 15-191

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve the re-scheduling of meeting to be held on Tuesday, Marcy 24, 2015 to Thursday, March 26, 2015, at 9:00 a.m., this the 10th day of March, 2015.

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. Randy Vest, and unanimously carried that the Morgan County Commission duly adjourned.

These Minutes were approved
this the 26th day of March, 2015.

RAY LONG, CHAIRMAN

JEFF CLARK, MEMBER

RANDY VEST, MEMBER

DON STISHER, MEMBER

March 10, 2015

GREG ABERCROMBIE, MEMBER
