

## MORGAN COUNTY COMMISSION REGULAR MEETING

The Morgan County Commission of Morgan County, Alabama, convened in a regular meeting on Tuesday, April 28, 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, Mr. Don Stisher, and Mr. Greg Abercrombie. 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  
Derrick Shull, WYAM TV 51  
Greg Bodley, County Engineer  
Randy Garrison, Hartselle Enquirer  
Deangelo McDaniel, Decatur Daily

### AGENDA

The Agenda for the meeting of Tuesday, April 28, 2015, had been presented to the Commission for review. The Agenda was amended as follows:

#### Item #16 – Added

Adopt resolution authorizing the Chairman to grant the City of Decatur, a municipal corporation and / or BellSouth Telecommunications, Inc., a Georgia corporation, d/b/a, AT&T Alabama, a utility and telecommunications easement along the east ten (10) feet of the property recently acquired by Morgan County for the construction of a new Health Department facility, shown on the attachment to this resolution.

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, April 28, 2015.

### MINUTES

The Minutes of the meeting held on Tuesday, April 14, 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. 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 CHANGE ORDER WITH FOAM APPLICATIONS, INC. ON THE MORGAN COUNTY COURTHOUSE ROOF REPLACEMENT, REPRESENTING WALKWAY MAINTENANCE AND ROOF DRAIN DOMES, IN THE AMOUNT OF \$1,600.00.**

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 15-236**

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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 change order with Foam Applications, Inc. on the Morgan County Courthouse Roof Replacement, representing Walkway Maintenance and Roof Drain Domes, in the amount of \$1,600.00, this the 28<sup>th</sup> day of April, 2015.

**ADOPT RESOLUTION AUTHORIZING RICKY BROOKS, DIRECTOR OF ENVIRONMENTAL SERVICES, TO PURCHASE ONE (1) 1998 INTERNATIONAL 4700 DUMPSTER DELIVERY TRUCK, VIN# 1HTSCAALXXH623896 FOR \$4,000.00 FROM WOODARD GIBSON, HARTSELLE, ALABAMA.**

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 15-237**

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 one (1) 1998 International 4700 Dumpster Delivery Truck, VIN# 1HTSCAALXXH623896 for \$4,000.00 from Woodard Gibson, Hartselle, Alabama, this the 28<sup>th</sup> day of April, 2015.

**ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE CONTRACT WITH TRUGREEN CHEMLAWN REPRESENTING LAWN CARE SERVICES FOR THE MORGAN COUNTY COURTHOUSE IN THE AMOUNT OF \$4,831.12 FOR 2015 SERVICES, PAYABLE OUT OF THE GENERAL FUND, MAINTENANCE BUDGET.**

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 15-238**

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to execute contract with TruGreen Chemlawn representing lawn care services for the Morgan County Courthouse in the amount of \$4,831.12 for 2015 services, payable out of the General Fund, Maintenance budget, this the 28<sup>th</sup> day of April, 2015.

**ADOPT RESOLUTION THAT THE MORGAN COUNTY COMMISSION STRONGLY OPPOSES PASSAGE OF HB 447 AND SB 369 WHICH WOULD MANDATE AN UNFUNDED INCREASE IN SALARY FOR PROBATE JUDGES, PAID FROM REVENUES IN THE COUNTY GENERAL 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 15-239**

RESOLUTION OPPOSING HB 447 AND SB 369

**WHEREAS**, legislation to increase the salary of Alabama probate judges was introduced in the Alabama Legislature on April 9, 2015 (HB 447 by Rep. Fridy and SB 369 by Sen. Whatley); and

**WHEREAS**, passage of this bill would increase the salary of the Morgan County Probate Judge from \$87,922.00 to approximately \$123,111.70 effective with the new term of office beginning in January 2019; and

**WHEREAS**, the increases in salary from this legislation would be paid from the county general fund and would negatively affect the county's ability to provide other functions of county government, including but not limited to, the efficient operation of the various county offices, the maintenance and repair of county roads and bridges, county services provided for the citizens of the county, and required funding for local law enforcement and the county jail; and

**WHEREAS**, with no funding source for this increase in salaries, passage of this legislation would be an unfunded mandate place upon county government by the Alabama Legislature; and

**WHEREAS**, state law already provides adequate salaries for the probate judge and other county elected officials set in line with each county's ability to fund such salaries from revenues of the county.

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**WHEREFORE, BE IT HEREBY RESOLVED BY THE MORGAN COUNTY COMMISSION** that it strongly opposes passage of **HB 447** and **SB 369** which would mandate an unfunded increase in the salary for the Morgan County Probate Judge, paid from revenues in the county general fund.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to each member of the Morgan County legislative delegation and all media outlets servicing Morgan County.

**IN WITNESS WHEREOF**, the Morgan County Commission has caused this Resolution to be executed in its name and on its behalf by its Chair on this the 28<sup>th</sup> day of April, 2015.

**ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AGREEMENT WITH ELIZABETH W. EDWARDS FOR LEASING PROPERTY LOCATED AT 123 LEE STREET N.E., DECATUR, ALABAMA FOR THE SUM OF ONE DOLLAR (\$1.00) CONTINGENT UPON THE TERMS, PROVISIONS AND CONDITIONS AS SET FORTH IN AGREEMENT FOR USE AS PARKING SPACE FOR THE PERIOD OF MAY 1, 2015 THROUGH APRIL 30, 2016.**

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 15-240**

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to execute agreement with Elizabeth W. Edwards for leasing property located at 123 Lee Street N.E., Decatur, Alabama for the sum of One Dollar (\$1.00) contingent upon the terms, provisions and conditions as set forth in agreement for use as parking space for the period of May 1, 2015 through April 30, 2016, this the 28<sup>th</sup> day of April, 2015.

**ADOPT RESOLUTION FOR ACCEPTANCE OF RIGHT OF WAY FOR GRANT ROAD - LOCATED BETWEEN GUM POND ROAD AND WELCOME FALLS ROAD, DISTRICT 3.**

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 15-241**

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve acceptance of Right of Way for Grant Road - located between Gum Pond Road and Welcome Falls Road, District 3, this the 28<sup>th</sup> day of April, 2015.

**ADOPT RESOLUTION AUTHORIZING RANDY VEST, DISTRICT 2 COMMISSIONER, TO HIRE TWO (2) TEMPORARY EMPLOYEES FOR DISTRICT 2 SHOP.**

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 15-242**

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize Randy Vest, District 2 Commissioner, to hire two (2) temporary employees for District 2 Shop, this the 28<sup>th</sup> day of April, 2015.

**REVIEW AND APPROVE INVOICES TOTALING \$170.00 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 \$170.00 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. 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 of \$170.00 to Meadowbrook, Inc. representing insurance coverage to be paid by various departments.

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**REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$145.00 FROM ALABAMA SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS REPRESENTING 2015-2016 MEMBERSHIP DUES FOR JULIE REEVES, DEPUTY CHIEF ADMINISTRATIVE OFFICER, PAYABLE OUT OF THE GENERAL FUND, COMMISSION OFFICE BUDGET.**

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$145.00 from Alabama Society of Certified Public Accountants representing 2015-2016 membership dues for Julie Reeves, Deputy Chief Administrative Officer, payable out of the General Fund, Commission Office Budget.

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 \$145.00 to Alabama Society of Certified Public Accountants representing 2015-2016 membership dues for Julie Reeves, Deputy Chief Administrative Officer, payable out of the General Fund, Commission Office Budget.

**REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$160.00 FROM ALABAMA SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS REPRESENTING 2015-2016 MEMBERSHIP DUES FOR AMANDA SCOTT, REVENUE COMMISSIONER.**

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$160.00 from Alabama Society of Certified Public Accountants representing 2015-2016 membership dues for Amanda Scott, Revenue 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 \$160.00 to Alabama Society of Certified Public Accountants representing 2015-2016 membership dues for Amanda Scott, Revenue Commissioner.

**REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$172,125.00 FROM FOAM APPLICATIONS INC. REPRESENTING FINAL PAYMENT FOR ROOF REPLACEMENT ON THE MORGAN COUNTY COURTHOUSE.**

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$172,125.00 from Foam Applications Inc. representing final payment for roof replacement on the Morgan County Courthouse

After due consideration it is therefore ordered by the Commission on motion of Mr. Jeff Clark, 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. Jeff Clark, seconded by Mr. Don Stisher, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$172,125.00 to Foam Applications Inc. representing final payment for roof replacement on the Morgan County Courthouse.

**REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$18,567.00 FROM WALKER BROTHERS, LTD. REPRESENTING APPLICATION 8 FOR BRINDLEE MOUNTAIN CONCESSION STAND PROJECT FINAL PAYMENT.**

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$18,567.00 from Walker Brothers, Ltd. representing application 8 for Brindlee Mountain Concession Stand Project final payment.

After due consideration it is therefore ordered by the Commission on motion of Mr. Greg Abercrombie, 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. Greg Abercrombie, seconded by Mr. Randy Vest, and unanimously carried that the Chairman is hereby authorized to issue a warrant in the amount of \$18,567.00 to Walker Brothers, Ltd. representing application 8 for Brindlee Mountain Concession Stand Project final payment.

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**REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$6,849.00 FROM CHARLES SHERROD CONSULTING REPRESENTING GRANT CONSULTING SERVICES FOR LACEY'S SPRING SENIOR CENTER.**

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$6,849.00 from Charles Sherrod Consulting representing grant consulting services for Lacey's Spring Senior Center.

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 invoice 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 of \$6,849.00 to Charles Sherrod Consulting representing grant consulting services for Lacey's Spring Senior Center.

**REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$150.00 FROM S.S. NESBITT REPRESENTING NOTARY BONDS FOR SHARON MAXWELL, DOREEN TICE, AND MONICA REED, MORGAN COUNTY LICENSE COMMISSIONER'S OFFICE.**

The Chairman brought to the attention of the Commission that he was in receipt of invoices totaling \$150.00 from S.S. Nesbitt representing Notary Bonds for Sharon Maxwell, Doreen Tice, and Monica Reed, Morgan County License Commissioner's Office.

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 S.S. Nesbitt representing Notary Bonds for Sharon Maxwell, Doreen Tice, and Monica Reed, Morgan County License Commissioner's Office.

**REVIEW AND APPROVE INVOICES TOTALING \$104,488.96 FROM GODWIN BARNETT WOODS ARCHITECTS REPRESENTING PROFESSIONAL SERVICES PERFORMED ON THE MORGAN COUNTY JAIL ANNEX.**

The Chairman brought to the attention of the Commission that he was in receipt of invoices totaling \$104,488.96 from Godwin Barnett Woods Architects representing professional services performed on the Morgan County Jail Annex.

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 \$104,488.96 to Godwin Barnett Woods Architects representing professional services performed on the Morgan County Jail Annex.

**ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO GRANT THE CITY OF DECATUR, A MUNICIPAL CORPORATION AND / OR BELLSOUTH TELECOMMUNICATIONS, INC., A GEORGIA CORPORATION, D/B/A, AT&T ALABAMA, A UTILITY AND TELECOMMUNICATIONS EASEMENT ALONG THE EAST TEN (10) FEET OF THE PROPERTY RECENTLY ACQUIRED BY MORGAN COUNTY FOR THE CONSTRUCTION OF A NEW HEALTH DEPARTMENT FACILITY, SHOWN ON THE ATTACHMENT TO THIS RESOLUTION.**

Mr. Jeff Clark, 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 15-243**

Resolution Authorizing Grant of  
UTILITY AND TELECOMMUNICATIONS EASEMENT

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BE IT RESOLVED by the Morgan County Commission that the Chairman be and he is hereby authorized to grant the City of Decatur, a municipal corporation, and/or BellSouth Telecommunications, Inc., a Georgia corporation, d/b/a AT&T Alabama, a utility and telecommunications easement along the east ten (10) feet of the property recently acquired by Morgan County for the construction of a new Health Department facility, which such easement is more fully described and depicted on Attachment "A", page 1 and Page 2, this the 28<sup>th</sup> day of April, 2015.

**Attachment "A" Page 1**

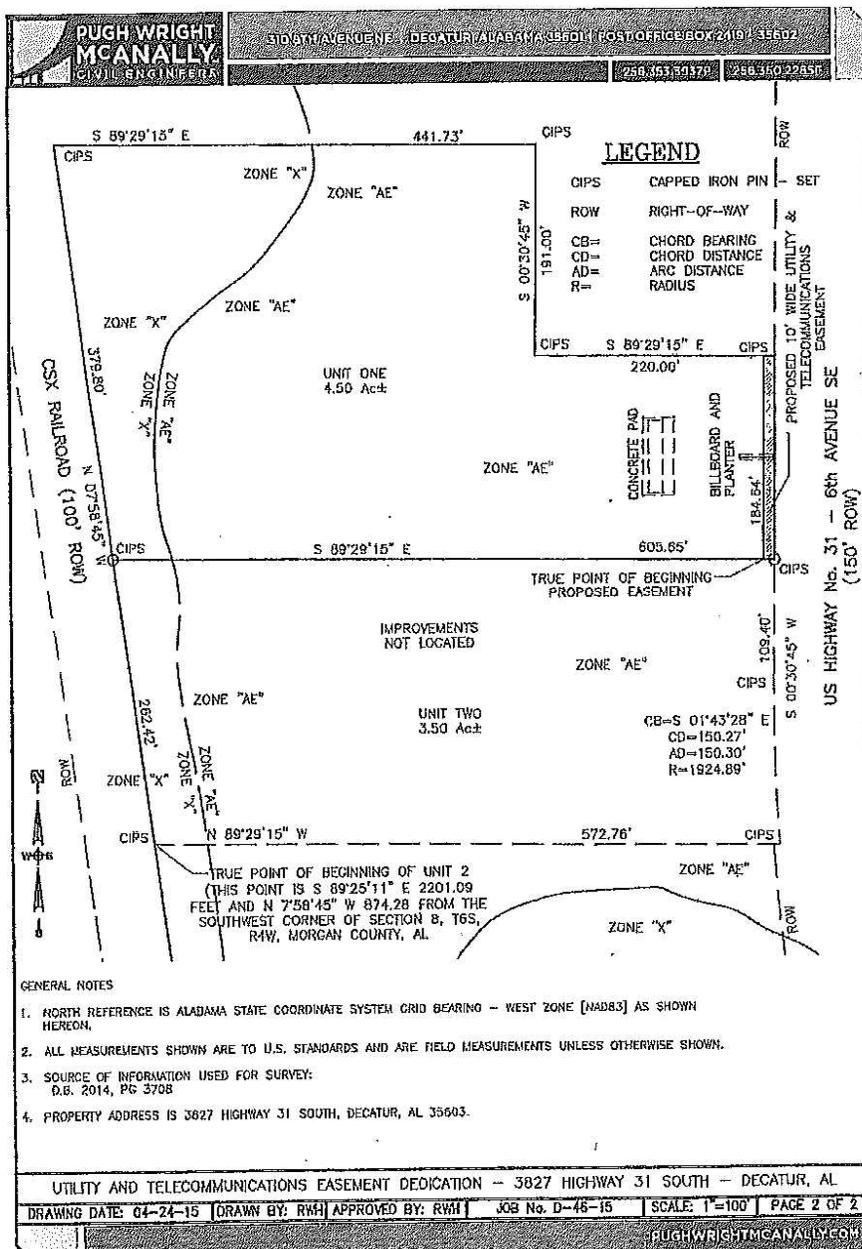
**UTILITY AND TELECOMMUNICATIONS EASEMENT**

Ten (10) feet evenly off the east side of Unit One of Certificate to Subdivide as recorded in Misc Book 2014, beginning at Page 3708 also described as Commencing at the southwest corner of Section 8, Township 6 South, Range 4 West, Morgan County, Alabama, and run thence S 89°25'11" E (Alabama State Coordinate System Grid Bearing - West Zone [NAD83]) along the south boundary of said Section 8 a distance of 2201.09 feet to a point on the easterly right-of-way margin for CSX Railroad (100' ROW); thence N 07°58'45" W along the easterly right-of-way margin for CSX Railroad a distance of 874.28 feet a capped iron pin (stamped "PWM AL/CA0021/LS"); thence continue N 07°58'45" W along the easterly right-of-way margin for CSX Railroad a distance of 262.42 feet to a capped iron pin (stamped "PWM AL/CA0021/LS") at the southwest corner of said Unit One; thence S 89°29'15" E along the south boundary of said Unit One a distance of 595.65 feet to a point being the true point of beginning of the easement herein described;

thence from the true point of beginning

N 00°30'45" E a distance of 184.64 feet to a point on the north boundary of said Unit One; thence S 89°29'15" E along said north boundary a distance of 10.00 feet to a capped iron pin (stamped "PWM AL/CA0021/LS") on the west right-of-way margin of US Highway 31 - 6<sup>th</sup> Avenue SE (150' R.O.W.); thence S 00°30'45" W along the west right-of-way margin of US Highway No. 31 - 6<sup>th</sup> Avenue SE a distance of 184.64 feet to a capped iron pin (stamped "PWM AL/CA0021/LS"); thence N 89°29'15" W a distance of 10.00 feet to the true point of beginning, lying and being within Section 8, Township 6 South, Range 4 West, Morgan County, Alabama, and containing **1846.4 square feet** more or less.

**Attachment "A" Page 2**



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

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These Minutes were approved  
this the 12<sup>th</sup> day of May, 2015.

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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

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