

MORGAN COUNTY COMMISSION REGULAR MEETING

The Morgan County Commission of Morgan County, Alabama, convened in a regular meeting on Tuesday, January 26, 2016, at 9:00 a.m. in the Conference Room of the Morgan County Commission Office, County Courthouse, Decatur, Alabama. The following members were present: Mr. Ray Long, Chairman; Mr. Jeff Clark, Mr. Randy Vest, Mr. Don Stisher, and Mr. Greg Abercrombie, members. Absent: N/A. Mrs. Belinda Ealey, Mrs. Julie Reeves, and Mrs. Robbie Alexander acted as the clerks of the Meeting. The Chairman stated that a quorum was present and declared the Meeting open for the transaction of business.

VISITORS

Bill Shinn, County Attorney
Cliff Knight, Hartselle Enquirer
Derrick Shull, WYAM TV 51
Kristyna Robinson, Citizen

Greg Bodley, County Engineer
Keith Clines, Decatur Daily
Alyssa Carter, Citizen

AGENDA

The Agenda for the regular meeting of Tuesday, January 26, 2016, had been presented to the Commission for review.

After due consideration it is therefore ordered by the Commission on motion of Mr. Don Stisher, seconded by Mr. Greg Abercrombie, and unanimously carried that the Agenda be, and are hereby approved for Tuesday, January 26, 2016.

MINUTES

The Minutes of the meeting held on Tuesday, January 12, 2016, 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:

REVIEW AND APPROVE INVOICES TOTALING \$100.00 FROM S.S. NESBITT, REPRESENTING NOTARY BOND RENEWALS FOR HELEN HILL AND TRACY LAROCHE, LICENSE COMMISSION, EFFECTIVE DATE JANUARY 7, 2016 THRU JANUARY 7, 2020.

The Chairman brought to the attention of the Commission that he was in receipt of invoices totaling \$100.00 from S.S. Nesbitt, representing Notary Bond renewals for Helen Hill and Tracy Laroche, License Commission, effective date January 7, 2016 thru January 7, 2020.

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 \$100.00 to S.S. Nesbitt, representing Notary Bond renewals for Helen Hill and Tracy Laroche, License Commission, effective date January 7, 2016 thru January 7, 2020.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$16,111.00 FROM VOLKERT, INC. REPRESENTING PROGRAM MANAGEMENT SERVICES FOR JAIL ANNEX, PAYMENT NUMBER 28.

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 for Jail Annex, payment number 28.

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 \$16,111.00 to Volkert, Inc. representing program management services for Jail Annex, payment number 28.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$63,001.80 FROM BAGBY ELEVATOR REPRESENTING FINAL PAYMENT FOR ELEVATOR RENOVATIONS IN 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 \$63,001.80 from Bagby Elevator representing final payment for elevator renovations in the Morgan County Courthouse.

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 \$63,001.80 to Bagby Elevator representing final payment for elevator renovations in the Morgan County Courthouse.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$40.00 FROM ALABAMA ASSOCIATION OF ASSESSING OFFICIALS REPRESENTING ANNUAL 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 \$40.00 from Alabama Association of Assessing Officials representing annual 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 \$40.00 to Alabama Association of Assessing Officials representing annual membership dues for Amanda Scott, Revenue Commissioner.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$500.00 FROM NATIONAL ASSOCIATION OF DRUG COURT PROFESSIONALS (N.A.D.C.P.) REPRESENTING ORGANIZATIONAL MEMBERSHIP DUES FOR COMMUNITY CORRECTIONS.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$500.00 from National Association of Drug Court Professionals (N.A.D.C.P.) representing organizational membership dues for Community Corrections.

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 \$500.00 to National Association of Drug Court Professionals (N.A.D.C.P.) representing organizational membership dues for Community Corrections.

REVIEW AND APPROVE INVOICES TOTALING \$1,750.00 FROM VOLKERT, INC. REPRESENTING CONTRACT NUMBER 339000.03 FOR SERVICES RELATED TO THE BRIDGE REPLACEMENT PROJECT ON KIRBY BRIDGE ROAD.

The Chairman brought to the attention of the Commission that he was in receipt of invoices totaling \$1,750.00 from Volkert, Inc. representing Contract Number 339000.03 for services related to the bridge replacement project on Kirby Bridge Road.

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 invoices 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 \$1,750.00 to Volkert, Inc. representing Contract Number 339000.03 for services related to the bridge replacement project on Kirby Bridge Road.

ADOPT RESOLUTION APPROVING AND FILLING THE FOLLOWING NEW POSITION:

<u>Job Title</u>	<u>Department</u>	<u>Class Code</u>	<u>Grade</u>
Accounting Clerk	Community Corrections	1310	6 (\$15.12 - \$19.73)

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 16-133

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve and filling the following new position:

<u>Job Title</u>	<u>Department</u>	<u>Class Code</u>	<u>Grade</u>
Accounting Clerk	Community Corrections	1310	6 (\$15.12 - \$19.73)

THIS the 26th day of January, 2016.

ADOPT RESOLUTION AUTHORIZING SHARON MAXWELL, COMMISSIONER OF LICENSE, TO FILL THE POSITION OF ONE (1) PART-TIME ASSESSMENT CLERK, \$8.34 PER HOUR, NO BENEFITS.

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 16-134

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize Sharon Maxwell, Commissioner of License, to fill the position of one (1) part-time Assessment Clerk, \$8.34 per hour, no benefits, this the 26th day of January, 2016.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE THE FOLLOWING CONTRACTS REPRESENTING THE PROMOTION OF MORGAN COUNTY, WHICH WILL BE PAYABLE OUT OF THE TOURISM, RECREATION & CONVENTION FUND AS FOLLOWS:

- **Racking Horse Breeders' Association (Spring Celebration) ----- \$2,500.00**
- **Morgan County FFA / 4H Steer Show ----- \$1,000.00**

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 16-135

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to execute the following contracts representing the promotion of Morgan County, which will be payable out of the Tourism, Recreation & Convention Fund as follows:

- Racking Horse Breeders' Association (Spring Celebration)-\$2,500.00
- Morgan County FFA / 4H Steer Show-\$1,000.00

THIS the 26th day of January, 2016.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$342.00 FROM MEADOWBROOK INSURANCE REPRESENTING AUTOMOBILE INSURANCE COVERAGE FOR THE SHERIFF'S DEPARTMENT.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$342.00 from Meadowbrook Insurance representing automobile insurance coverage for the Sheriff's Department.

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 invoices 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 \$342.00 to Meadowbrook Insurance representing automobile insurance coverage for the Sheriff's Department.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$2,000.00 FROM TYLER TECHNOLOGIES REPRESENTING IMPLEMENTATION SERVICES ON NEW SOFTWARE FOR MORGAN COUNTY, BUDGETED ITEM.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$2,000.00 from Tyler Technologies representing implementation services on new software for Morgan County, budgeted item.

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 \$2,000.00 to Tyler Technologies representing implementation services on new software for Morgan County, budgeted item.

REVIEW AND APPROVE INVOICE IN THE AMOUNT OF \$3,943.50 FROM HARRIS, CADDELL & SHANKS P.C. REPRESENTING PROFESSIONAL SERVICES FOR MORGAN COUNTY DEPARTMENTS FOR DECEMBER 2015.

The Chairman brought to the attention of the Commission that he was in receipt of an invoice in the amount of \$3,943.50 from Harris, Caddell & Shanks P.C. representing professional services for Morgan County departments for December 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 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 \$3,943.50 to Harris, Caddell & Shanks P.C. representing professional services for Morgan County departments for December 2015.

ADOPT RESOLUTION APPROVING CERTIFICATE TO SUBDIVIDE PROPERTY LOCATED WITHIN MORGAN COUNTY.

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

- **Patricia Jordan Echols and Randy Jordan**
East Upper River Road, District 1
- **Joel Ray Bailey and Lamont Family Enterprises, LLC**
Bluff City Road, District 1
- **MNL, LLC (Michael A. Nelson)**
Highway 231, District 4

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

RESOLUTION 16-136

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve certificate to subdivide property located within Morgan County for:

- **Patricia Jordan Echols and Randy Jordan**
East Upper River Road, District 1

THIS the 26th day of January, 2016.

RESOLUTION 16-137

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve certificate to subdivide property located within Morgan County for:

- **Joel Ray Bailey and Lamont Family Enterprises, LLC**
Bluff City Road, District 1

THIS the 26th day of January, 2016.

RESOLUTION 16-138

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve certificate to subdivide property located within Morgan County for:

- **MNL, LLC (Michael A. Nelson)**
Highway 231, District 4

THIS the 26th day of January, 2016.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE SOFTWARE LICENSE AGREEMENT WITH E-RING, INC. REPRESENTING IMPLEMENTATION AND TRAINING SERVICES FOR SOFTWARE FOR MORGAN COUNTY REVENUE DEPARTMENT.

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 16-139

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to execute Software License Agreement with E-Ring, Inc. representing implementation and training services for software for Morgan County Revenue Department, this the 26th day of January, 2016.

REVIEW AND APPROVE INVOICES TOTALING \$150.00 FROM S.S. NESBITT, REPRESENTING NOTARY BOND RENEWALS FOR GREG BODLEY, JAMES KELLEY, AND ANGELA MULLICAN, ENGINEERING DEPARTMENT, EFFECTIVE DECEMBER 8, 2015 THRU DECEMBER 8, 2019.

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 Bond renewals for Greg Bodley, James Kelley, and Angela Mullican, Engineering Department, effective December 8, 2015 thru December 8, 2019.

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 invoices 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 \$150.00 to S.S. Nesbitt, representing Notary Bond renewals for Greg Bodley, James Kelley, and Angela Mullican, Engineering Department, effective December 8, 2015 thru December 8, 2019.

ADOPT RESOLUTION TO AMEND JOB DESCRIPTION OF MECHANIC (MCATS DEPARTMENT ONLY), AND AUTHORIZE DEBRA GARDNER, DIRECTOR OF MCATS / COMMISSION ON AGING, TO FILL THE POSITION, GRADE 7 (\$16.37 - \$21.36).

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 16-140

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby amend the job description of Mechanic (MCATS Department only), and authorize Debra Gardner, Director of MCATS / Commission on Aging, to fill the position, Grade 7 (\$16.37 - \$21.36), this the 26th day of January, 2016.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO HIRE ONE TEMPORARY EMPLOYEE FOR COMMISSION DEPARTMENT.

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 16-141

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to hire one temporary employee for the Commission Department, this the 26th day of January, 2016.

ADOPT RESOLUTION IMPOSING A USE LIMITATION ON PROPERTY ACQUIRED FROM THE BRINDLEE MOUNTAIN COMMUNITY CENTER, AND AUTHORIZING THE CHAIRMAN AND / OR THE CHIEF ADMINISTRATIVE OFFICER TO MAKE AND FILE IN THE PROBATE OFFICE AN AFFIDAVIT ATTESTING THE ADOPTION OF SAID LAND USE RESTRICTION.

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

RESOLUTION 16-142

RESOLUTION AMENDING DEED TO IMPOSE USE RESTRICTIONS ON PROPERTY ACQUIRED FROM BRINDLEE MOUNTAIN COMMUNITY CENTER

WHEREAS, Morgan County, a body corporate, heretofore acquired from the Brindlee Mountain Community Center, an Alabama non-profit corporation, the following described real property situated in Morgan County, Alabama, to-wit:

Parcel 1:

Ten (10) acres in the form of a square in the northeast corner of the southeast quarter of the southeast quarter of Section 36, Township 6 South, Range 1 West.

Parcel 2:

A tract of land in the SE1/4 of the SE1/4 of Section 36, Township 6 South, Range 1 West, in Morgan County, Alabama, described as follows, to-wit:

Beginning at the NE corner of the SE1/4 of the SE1/4 of Section 36, Township 6 South, Range 1 West, and running South 87° 36' West, 660 feet to the true point of beginning; thence continuing west 105 feet to a point; thence South 2° 30' East 1320 feet to a point; thence North 87° 30' East 765 feet to a point; thence North 2° 30' West 660 feet to the southeast corner of the property of Grantee; thence South 87° 30' West 660 feet, the southwest corner of the present property of Grantee; thence North 2° 30' West 660 feet along the new fence line of the present property of Grantee to the point of beginning, subject to existing public roads, and containing in all 13 acres, more or less.

WHEREAS, said property was acquired by warranty deed, dated June 6, 2011, and recorded in Book 2011, Page 3116, Office of the Judge of Probate of Morgan County, Alabama; and,

WHEREAS, certain federal financial assistance has been utilized in developing said property and the Morgan County Commission, in order to satisfy certain conditions applicable to the availability of said federal financial assistance, wishes to amend the deed and to otherwise impose said use restrictions on the use of said property.

NOW, THEREFORE, BE IT RESOLVED by the Morgan County Commission, the governing body of Morgan County, a body corporate, that the foregoing described property shall forever be subject to the following limitation of use, as follows:

NOTICE OF LIMITATION OF USE

This property has been acquired or developed with Federal financial assistance provided by the National Park Service of the U.S. Department of the Interior in accordance with the Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. 4601-5, et seq., (1970 ed.). Pursuant to a requirement of that law, this property may not be converted to other than public outdoor recreation uses (whether by transfer, sale or in any other manner) without the express written approval of the Secretary of the Interior. By law, the Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and/or reasonably equivalent usefulness and location.

and that said deed of said property shall be deemed amended so as to include said use limitation therein as much so as if said use limitation appeared therein as stated above.

BE IT FURTHER RESOLVED that the Chairman and/or the Chief Administrative Officer prepare and file in the Office of the Judge of Probate of Morgan County, Alabama, an appropriate affidavit attesting to the adoption of this Resolution and the imposition on said property of said use limitation, this the 26th day of January, 2016.

BE IT FURTHER RESOLVED by the Morgan County Commission of Morgan County, Alabama, that there being no further business to come before the Commission, the same on motion of Mr. Don Stisher, seconded by Mr. Greg Abercrombie, and unanimously carried that the Morgan County Commission duly adjourned.

RAY LONG, CHAIRMAN

These Minutes were approved
this the 9th day of February, 2016.

JEFF CLARK, MEMBER

RANDY VEST, MEMBER

DON STISHER, MEMBER

GREG ABERCROMBIE, MEMBER