

## ST. CLAIR COUNTY COMMISSION MEETING APRIL 12, 2016

The St. Clair County Commission met in regular session on April 12, 2016 in the upstairs Courtroom of the St. Clair County Courthouse Annex #1 (Administrative Center) in Ashville, Alabama.

Members Present: Paul Manning, Chairman  
Jeff Brown, Commissioner District One  
Ken Crowe, Commissioner District Two  
Tommy Bowers, Commissioner District Three  
Jimmy Roberts, Commissioner District Four

Members Absent: None

Others Present: Kellie L. Graff, Administrator  
Dan Dahlke, Engineer  
Gary Hanner, St. Clair Times  
Clay Phillips, Assistant Engineer  
Donna Wood, CFO  
Laura Lawley, Deputy Administrator  
James E. Hill, County Attorney  
Assistant Sheriff Billy Murray, SCCSO  
Capt. John McWaters, SCCSO  
Bill Watkins, Visitor  
Paul Vaughn, Visitor  
Marie Manning, County Board of Education  
Jenny Seals, County School Superintendent  
Tom Watson, Visitor  
Lyman Lovejoy, Visitor  
Bryan Price, GIS Manager  
Elizabeth Mealer, Revenue Commissioner

Prior to calling the meeting to order the St. Clair County Commission along with Gentry Shows of Advanced Disposal Services presented \$500.00 scholarships to 12 high school seniors.

### CALL TO ORDER

The Chairman declared a quorum present at 9:12 a.m. and called the meeting to order.

### APPROVAL OF AGENDA

On a motion by Commissioner Bowers, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the Agenda be approved as presented.

### APPROVAL OF MINUTES

On a motion by Commissioner Crowe, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the minutes of the regular meeting on March 22, 2016 be approved.

### ENGINEER'S REPORT

The first item of the Engineer's report was an update on current projects. Engineer Dan Dahlke said the Rivercrest bridge project is nearing completion. The structure

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is built and the flowable fill has been inserted. The guardrails are expected to be in place by the end of the week.

Dahlke stated three resurfacing projects are set to begin the first of May. They are resurfacing on Mountain View Road, Old Springville Road, and Kerr Road. He added the Alabama Transportation Rehabilitation and Improvement Program (ATRIP) project on Double Bridge Road has hit a roadblock. The Alabama Department of Transportation (ALDOT) has not received certification from the railroad company in order to cross the railroad tracks. The project can't go to bid without the certificate. Dahlke said he spoke previously with ALDOT about the possibility of breaking the project up and resurfacing up to the railroad tracks and coming back at a later date to complete the project, but ALDOT denied that request. Chairman Manning stated the railroad had questions about the approaches. However, Dahlke added the ATRIP project on County Road 26 was proceeding as planned and will be bid next month.

The next item to discuss was a reminder of the bus tour of County roads with the Commission. The Engineer selected 10 roads for the Commissioners to visit.

The next item was to discuss the recommendation that Dwayne Banks fill the Road Worker I position left vacant when Kerry Cole was promoted to Road Worker II. This will be effective May 2, 2016.

On a motion by Commissioner Brown, seconded by Commissioner Crowe, with all voting aye, it was

RESOLVED, that Dwayne Banks be named to fill the Road Worker I position left vacant when Kerry Cole was promoted to Road Worker II. To be effective May 2, 2016.

The next item was an update on the spring clean-up of scrap tires. Engineer Dahlke stated the program is doing very well this year. He said so far close to 200 tires were collected on the first two Fridays. Scrap tires can be disposed of at the County Road Department each Friday in April. Residents of St. Clair County can bring any type of tire for disposal, as long as it is not on a rim. They must also bring a driver license to verify residency in St. Clair and there is a limit of eight (8) tires per person.

The next item was to discuss the hiring of temporary workers for the summer months. Dahlke stated he tries to hire six (6) workers to assist with manual labor such as flagging, patching, etc. He also assigns them to mowers if they have experience and some can drive a dump truck provided they have the appropriate Commercial Driver License (CDL). He added applicants must be at least 18 years of age and will work 40 hours per week for this limited time. Dahlke requested to move forward with posting the jobs. On a motion by Commissioner Brown, seconded by Commissioner Crowe, with all voting aye, it was

RESOLVED, that the Engineer's request to post and hire up to six (6) temporary workers for the summer months is approved.

Commissioner Bowers asked Dahlke for an update on Phase II roads. Dahlke said Phase II of county resurfacing is underway. Crews have been clipping shoulders on Phase II roads and preparing to put down the scrub seal and then hot mix levelling on old plant mix roads. On roads that are already tar and gravel the hot mix will go down before the scrub seal. The contractor is set to arrive in July to apply the micro-surfacing.

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Dahlke also told the Commission the road crews have been widening sections of Old Coal City Road in preparation for resurfacing as an ATRIP project. He said some sections needed 2-feet added and some needed only 1-foot. He explained again that any mailboxes on the right of way on Old Coal City Road that were not “breakaway” mailboxes would have to be removed from the right of way. This includes brick monument mailboxes and those mounted on 4x4 posts or pipes 2-inches or more in diameter. He added these mailboxes used to be okay just being in the “clear zone” but now they must be completely out of the right of way. He stated when federal or state money is used for work on a road, the county must follow certain encroachment definitions and this is why mailboxes are having to be moved. Dahlke said fences in the right of way do not have to be moved, but he is required to notify the property owner the fence is in the right of way.

Chairman Manning then called the scheduled and advertised public hearing to order at 9:40 a.m. The public hearing was in regard to a petition requesting the County to vacate an undeveloped portion of Hill Street located in Moody near Acmar Road. This is part of a subdivision that was platted and the road never developed. Engineer Dahlke stated he received the petition from the adjoining property owners and vacating the road would not cut anyone off from access to their property. He also explained the way the County would vacate the property it would still give utilities access even though he doesn’t believe there are currently any utilities on the road. Commissioner Crowe said he hasn’t received any calls regarding the petition to vacate the road. Dahlke said he has not received any comments either. There being no public comments, the Chairman closed the public hearing at 9:44 a.m.

ADMINISTRATOR’S REPORT

The first item of the Administrator’s report was to discuss the request of the City of Ashville and the Ashville High School Band Boosters to use the County Courthouse property for the annual Tunes Around Town event set for July 2. On a motion by Commissioner Brown, seconded by Commissioner Roberts, with all voting aye, it was

RESOLVED, that the request of the City of Ashville and the Ashville High School Band Boosters to use the County Courthouse property for the annual Tunes Around Town event set for July 2 is approved.

The next item was to discuss the recommendation that effective April 12, 2016 Corey Phillips fill the Commission receptionist/clerk position left vacant when Rachel Bowling was promoted to Administrative Assistant. On a motion by Commissioner Brown, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that effective April 12, 2016 Corey Phillips be named to fill the Commission receptionist/clerk position left vacant when Rachel Bowling was promoted to Administrative Assistant.

The next item was to discuss the request of Sheriff Terry Surles to surplus and dispose of outdated and obsolete technology equipment. On a motion by Commissioner Crowe, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the request of Sheriff Terry Surles to surplus and dispose of outdated and obsolete technology equipment is approved.

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(List of surplus items to be made a part of these minutes as Attachment #1)

The next item was to discuss the request to convert two (2) vacant part-time deputy positions to one (1) full time deputy position with the two (2) part-time positions being removed from the sheriff's personnel. Chairman Manning noted this deputy would be assigned to the night shift, this being the second full time deputy the Commission has approved for the night shift. Assistant Sheriff Billy Murray confirmed this. On a motion by Commissioner Crowe, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the request to convert two (2) vacant part-time deputy positions to one (1) full time deputy position with the two (2) part-time positions being removed from the sheriff's personnel is approved.

The next item was to discuss the travel requests as presented in the work session of April 7, 2016. On a motion by Commissioner Bowers, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the travel requests as presented in the work session of April 7, 2016 are approved. (Travel requests to be made a part of these minutes as Attachment #2)

#### COUNTY ATTORNEY'S REPORT

County Attorney James Hill presented Resolution 2016-15 pertaining to a portion of Hill Street. The resolution vacates that right-of-way and authorizes Engineer Dahlke to republish the notice as is required by statute. Mr. Hill further requested authorization to draft the deeds necessary to transfer the property to the adjacent property owners. On a motion by Commissioner Crowe, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that Resolution 2016-15 vacating portions of Hill Street, authorizing Engineer Dahlke to republish the notice as is required is approved and the attorney is further authorized to draft any deeds necessary to effectuate the same. (Resolution to be made a part of these minutes as Attachment #3)

The next item on the County Attorney's report was to discuss appointing members to statutory authorities such as water, sewer, and fire authorities throughout the County. The policy requires, allows, or authorizes the Commission to appoint members to these boards. The Commission may take recommendations, but it is the Commission that is charged with making these appointments and this policy is consistent with that language in the statute. Hill submitted Resolution 2016-16 amending St. Clair County Operational Policy 15 outlining the Commission's responsibility to appoint members to various boards and authorities. On a motion by Commissioner Crowe, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that Resolution 2016-16 making an amendment to St. Clair County Operational Policy 15 regarding the Commission's responsibilities to appoint members to various boards and authorities is approved. (Resolution and policy to be made a part of these minutes as Attachment #4 and #4A, respectively.)

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OLD BUSINESS

There were no items of Old Business.

NEW BUSINESS

The first item of New Business was to discuss partnering with the City of Pell City to conduct an asbestos assessment and appraisal of the old hospital building and property in the amount of \$13,500.00 for both wherein the County will pay \$6,750.00 and the City will pay \$6,750.00, and also a General Fund budget amendment in this amount. On a motion by Commissioner Roberts, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that partnering with the City of Pell City to conduct an asbestos assessment and appraisal of the old hospital building and property in the amount of \$13,500.00 for both wherein the County will pay \$6,750.00 and the City will pay \$6,750.00, and also a General Fund budget amendment in this amount is approved.

The next item was to discuss Resolution 2016-14 proclaiming the month of April as Confederate History and Heritage Month. Visitor Bill Watkins thanked the Commission for the resolution. He added St. Clair Camp 308 teaches history at around 15 schools at this time of year. He said he appreciates the schools and administrators for allowing them to go into the schools and teach. He added other camps don't have the privilege to go into schools like Camp 308 does. Watkins said they have members from New York, Kentucky, and Kansas City and use Skype to bring them into the Camp. On a motion by Commissioner Brown, seconded by Commissioner Roberts, with all voting aye, it was

RESOLVED, that Resolution 2016-14 proclaiming the month of April as Confederate History and Heritage Month is approved. (Resolution to be made a part of these minutes as Attachment #5)

The next item was to discuss authorizing Construction Manager BD Welch, Inc. to let bid packages for Phase II of the Administrative Annex project. On a motion by Commissioner Brown, seconded by Commissioner Crowe, with all voting aye, it was

RESOLVED, that Construction Manager BD Welch, Inc. is authorized to let bid packages for Phase II of the Administrative Annex project.

The next item was to discuss a General Fund budget amendment in the amount of \$60,900.00 for work performed by the County Road Department for the Chandler Mountain Water Authority, per the agreement approved Dec. 8, 2015. On a motion by Commissioner Brown, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that a General Fund budget amendment in the amount of \$60,900.00 for work performed by the County Road Department for the Chandler Mountain Water Authority, per the agreement approved Dec. 8, 2015 is approved.

There were no board appointments.

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The next item for discussion was to approve payment of the regular bills. On a motion by Commissioner Crowe, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the regular bills be approved for payment with the exception of those that are questioned by the Commission before the close of business today

There being no further business, the meeting adjourned, subject to call, at approximately 10:10 a.m. on a motion by Commissioner Roberts, seconded by Commissioner Brown, with all voting aye.

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Paul Manning, Chairman

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Jeff Brown, Commissioner

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Ken Crowe, Commissioner

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Tommy Bowers, Commissioner

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Jimmy Roberts, Commissioner