

ST. CLAIR COUNTY COMMISSION MEETING AUGUST 9, 2016

The St. Clair County Commission met in regular session on August 9, 2016 in the County Commission Chambers 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
Clay Phillips, Assistant Engineer
Billy Murray, Assistant Sheriff
Bill Richvalsky, E911 Director
Harold Hoyle, Property manager
Donna Wood, CFO
Laura Lawley, Deputy Administrator
James E. Hill, County Attorney

CALL TO ORDER

The Chairman declared a quorum present at 9:36 a.m. and called the meeting to order.

APPROVAL OF AGENDA

On a motion by Commissioner Crowe, 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 July 26 and the Special Called Meeting of August 4, 2016 be approved.

ENGINEER'S REPORT

The first item of the Assistant Engineer's report was to provide an update on current Alabama Transportation Rehabilitation and Improvement Program (ATRIP) project. Assistant Engineer Clay Phillips stated the projects on Mountainview Road, Old Springville Road, and Kerr Road are completed and have passed final inspection. The project on Old Coal City Road is still moving forward. Signage should be in place on the road this week, and the contractor will be in next week to work the scrub seal and paving will follow that. He added the pre-construction meeting on County Road 26 is set for August 29, 2016, and work should begin approximately two (2) weeks later.

The next item was to discuss was an agreement with the City of Odenville for work on Havilah Hill Road wherein the total cost of the project will be \$9,812.90 with the City's portion being \$6,562.90 and the County's portion being \$3,250.00. On a

ST. CLAIR COUNTY COMMISSION MEETING AUGUST 9, 2016

motion by Commissioner Bowers, seconded by Commissioner Crowe, with all voting aye, it was

RESOLVED, that the agreement with the City of Odenville for work on Havilah Hill Road wherein the total cost of the project will be \$9,812.90 with the City's portion being \$6,562.90 and the County's portion being \$3,250.00 be approved. (Agreement to be made a part of these minutes as Attachment #1)

The next item to discuss was a proposal from Sain Engineering to prepare plans for improvements on Kelly Creek Road interchange at Interstate 20. Phillips said most of this work will be south of I-20 toward U.S. Highway 78. Sain will develop the plans for submittal and review. Commissioners asked the motion to include pending review of the County Attorney. On a motion by Commissioner Crowe, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the proposal from Sain Engineering to prepare plans for improvements on Kelly Creek Road interchange at Interstate 20 be approved, pending review of the County Attorney. (Proposal to be made a part of these minutes as Attachment #2)

ADMINISTRATOR'S REPORT

The first item of the Administrator's report was to discuss a General Fund budget amendment in the amount of \$42,000.00 to replace the elevator in the jail in Pell City. County Attorney James Hill asked for time to review and determine if this is a Public Works Project Under \$50,000.00 or if the Commission will have to bid the project out. Hill said repairs to the elevator or parts of the building would definitely fall under Public Works Bid Law, however he wishes to research whether completely replacing an item falls under that portion of the bid law. On a motion by Commissioner Crowe, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that a General Fund budget amendment in the amount of \$42,000.00 to replace the elevator at the jail in Pell City is approved, pending review of the County Attorney.

To next item was to discuss an amendment to the Association of County Commissions of Alabama Liability Self-Insurance Fund participation agreement to provide for property insurance coverage in addition to liability coverage. On a motion by Commissioner Roberts, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that an amendment to the Association of County Commissions of Alabama Liability Self-Insurance Fund participation agreement to provide for property insurance coverage in addition to liability coverage through the fund is approved.

The next item was to discuss was the travel requests as presented in the work session of Aug. 4, 2016. On a motion by Commissioner Crowe, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the travel requests as presented in the work session of Aug. 4, 2016 be approved. (Travel requests to be made a part of these minutes as Attachment #3)

COUNTY ATTORNEY'S REPORT

The first item on County Attorney James Hill's report is a discussion of a settlement offer concerning litigation with Lowe's stores. He stated that the County received an offer to resolve from Lowe's. He stated that since taxes are assessed in arrears, we are applying a depreciation rate of 2015-2016 and it will result in a \$4,000.00 rebate of taxes. On a motion by Commissioner Crowe, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the litigation with Lowe's stores regarding ad valorem taxes be resolved by the rebate of \$4,000.00 in taxes.

The next item on the County Attorney's Report was to discuss a resolution and agreement to extend a promissory note with the City of Moody Commercial Development Authority until February 10, 2017. On a motion by Commissioner Crowe, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that Resolution 2016-35 and an agreement to extend a promissory note with the City of Moody Commercial Development Authority until February 10, 2017 are approved. (Resolution and agreement to be made a part of these minutes as Attachment #4a and #4b)

The last item of the County Attorney's Report was to discuss a revenue sharing agreement with the City of Pell City concerning a new entertainment development within the city. Hill stated in 2014 the County had approved entering into a loan agreement with the City in the amount of \$600,000.00 with terms to be determined as the development neared. To be more consistent with agreements the County has entered into with other cities in the past, the agreement would be a revenue sharing agreement wherein the terms are that the County would return, or rebate, one-half of the 1-cent sales tax the County would collect on the entertainment develop. The rebate would be for a duration of 15 years or a total rebate maximum of \$600,000.00. On a motion by Commissioner Bowers, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that a revenue sharing agreement with the City of Pell City wherein the County would return/rebate one-half of 1-cent sales tax the County collects on the new entertainment development for a period of 15 years of a maximum rebate of \$600,000.00 is approved. (Agreement to be made a part of these minutes as Attachment #5)

OLD BUSINESS

There were no items of Old Business.

NEW BUSINESS

The first item of New Business was to discuss an agreement with Trobaugh and Company for sales tax auditing services. On a motion by Commissioner Crowe, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that an agreement with Trobaugh and Company for sales tax auditing services be approved. (Agreement to be made a part of these minutes as Attachment #6)

ST. CLAIR COUNTY COMMISSION MEETING AUGUST 9, 2016

The next item was to discuss payment of a Kelley Group invoice in the amount of \$8,828.05 and a General Fund budget amendment in this amount. On a motion by Commissioner Brown, seconded by Commissioner Roberts, with all voting aye, it was

RESOLVED, that payment of a Kelley Group invoice in the amount of \$8,828.05 and a General Fund budget amendment in this amount are approved.

The next item was to discuss acceptance of the FY16 EMPG award in the amount of \$41,325.00. On a motion by Commissioner Roberts, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that acceptance of the FY16 EMPG award in the amount of \$41,325.00 is approved.

There were no board appointments.

The next item for discussion was to approve payment of the regular bills. On a motion by Commissioner Roberts, seconded by Commissioner Bowers, 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 at approximately 10 a.m. on a motion by Commissioner Brown, seconded by Commissioner Crowe, with all voting aye.

Paul Manning, Chairman

Jeff Brown, Commissioner

Ken Crowe, Commissioner

Tommy Bowers, Commissioner

Jimmy Roberts, Commissioner