

ST. CLAIR COUNTY COMMISSION MEETING SEPTEMBER 12, 2017

The St. Clair County Commission met in regular session on September 12, 2017 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

Members Absent: Jimmy Roberts, Commissioner District Four

Others Present: Laura Lawley, Administrator
Donna Wood, CFO
Dan Dahlke, Engineer
Gary Hanner, St. Clair Times
Clay Phillips, Assistant Engineer
James E. Hill, III, County Attorney
Lyman Lovejoy, Lovejoy Realty
John Myers, St. Clair Technology
Glenn Morgan, St. Clair Technology
Rusty Jessup, Riverside Mayor
Elizabeth Mealer, Revenue Commissioner
Brian Camp, Visitor

PUBLIC HEARING- Charter Communications Franchise Agreement

Chairman Manning called the Public Meeting to order at 9:12 a.m.

The County Attorney James Hill explained what Charter Communications Franchise will provide through their Agreement. The Cable Act does specify certain processes which St. Clair County must go through to adopt these Franchise Agreements and set some service requirements of the Franchisee and set some fees for the Franchisor which requires a Public Hearing. He explained briefly that the Agreement defines the type of service and service areas that they will have. This particular Franchisee is Charter Communications. It provides the service quality that they have to provide including like numbers of channels, service interruption times, notifications, billing issues, payment receipt issues etc. Essentially it's structured such as the customer will have ease of use and minimum interruptions as to extent as the Franchisee can provide. All of the information is defined in the cable act and is in the Franchise Agreement.

There being no public comments the Public Hearing closed at 9:16 a.m. On a motion by Commissioner Crowe, seconded by Commissioner Brown, with all voting aye

CALL TO ORDER REGULAR MEETING

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

RESOLVED, that the minutes of the regular meeting on August 17, 2017, Public Hearing of August 28, 2017 and Special Called Meeting of August 29, 2017 be approved with the exception of those that are questioned by any Commissioner before the close of business today.

Mayor Rusty Jessup spoke and thanked the Commission for their support of taking care of the Beaver problems on Sugar Farm Road. He said that the City of Riverside really appreciated everything that St. Clair County has done.

ENGINEER'S REPORT

The first item of the Engineer's report was to discuss updates on paving projects. The Engineer said his paving crew put scrub seal down on Kelly Creek Road. McCartney will come in at a later date and do resurface with hot mix on Kelly Creek Road.

Hudson Construction will do the Micro surface at the end of September or first of October.

The next item was to discuss Pay Request #4 from Double Diamond Construction in the amount of \$203,416.71. On a motion by Commissioner Brown, seconded by Commissioner Crowe, with all voting aye, it was

RESOLVED, that the pay Request #4 from Double Diamond Construction in the amount of \$203,416.71 is approved.

The next item was to discuss the recommendation of the Engineer to hire Greg Smith and Jeremy Cambron into the vacant Road Worker I positions Effective next pay period. These positions are vacant due to Dewayne Banks and Jason Woods being promoted.

RESOLVED, that the recommendation of the Engineer for Greg Smith and Jeremy Cambron to be hired into the vacant Road Worker I positions is approved effective next pay period.

The next item was to discuss Annual Bid recommendations. The Engineer recommended that Bid #1 for Aggregate be awarded to McCartney and Blount Springs, Bid #6 for Petroleum Products be awarded to WH Thomas Oil; Bid #7 Plastic Pipe be awarded to Wells Septic, Bid #8 Plant Mix be awarded to Good Hope Construction, Midsouth Inc., McCartney, Advanced Asphalt, Bid #11 for Uniform Rental to Unifirst Corporation; Bid #18 for Heavy Equipment Rental be awarded to Warrior Tractor & Equipment and Tractor & Equipment; Bid #21 for Rubber Tire Loader Rental to Cowin Equipment, Bid # 5 Metal Pipe be awarded to Wells Septic, and Bid #9 Traffic Signs be awarded to Traffic Signs. On a motion by Commissioner Brown, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the Annual Bids be awarded as follows: Bid #1 for Aggregate be awarded to McCartney and Blount Springs, Bid #6 for Petroleum Products be awarded to WH Thomas Oil; Bid #7 Plastic Pipe be awarded to Wells Septic, Bid #8 Plant Mix be awarded to Good Hope Construction, Midsouth Inc., McCartney, Advanced

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Asphalt, Bid #11 for Uniform Rental to Unifirst Corporation; Bid #18 for Heavy Equipment Rental be awarded to Warrior Tractor & Equipment and Tractor & Equipment; Bid #21 for Rubber Tire Loader Rental to Cowin Equipment. (Letter of recommendation to be made a part of these minutes as Attachment #1)

The next item was to discuss the Annual Bids opened. The Engineer recommended that Bid # 5 for Metal Pipe be awarded to Wells Septic, and Bid #9 Traffic Signs be awarded to Traffic Signs. The Annual bids with no response were Bid #4 Concrete Pipe. The County Engineer requested to go out and negotiate with different vendors and he will come back to the Commission with his recommendation. The Asphalt Bid #2 only had one vendor to turn in a bid and the vendor only bid on two of the items. The Engineers recommendation is to reject the bid and rebid the Asphalt Bid. On a motion by Commissioner Crowe, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the Engineer recommended Bid # 5 Metal Pipe be awarded to Wells Septic, and Bid #9 Traffic Signs be awarded to Traffic Signs. Further, that the County Engineer be allowed to negotiate with different vendors on Bid #4 Concreted Pipes and bring his recommendations back to the Commission. Further also, that Bids received for Bid #2 Asphalt be rejected and rebid. (Letter of recommendation to be made a part of these minutes as Attachment #1A)

The next item was to discuss approving a License Agreement with Diversified Computer Services pending approval by the County Attorney. On a motion by Commissioner Crowe, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the License Agreement with Diversified Computer Services is approved pending approval by the County Attorney. (Agreement to be made a part of these minutes as Attachment #2)

The next item was to discuss Contract renewals for the Assistant County Engineer and the Project Engineer. On a motion by Commissioner Bowers, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the Contract renewals for the Assistant County Engineer and the Project Engineer is approved. (Contracts to be made a part of these minutes as Attachment #3 & 3A)

The next item was to discuss rescheduling a Public Hearing regarding the closure of undeveloped ROW (Right-of-way) in Treadwell Island Subdivision to Tuesday, October 10, 2017. On a motion by Commissioner Brown, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the Public Hearing regarding the closure of undeveloped ROW (Right-of-way) in Treadwell Island Subdivision be rescheduled to Tuesday, October 10, 2017.

ADMINISTRATOR'S REPORT

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The first item of the Administrator's report was to discuss the approval to pay The Kelly Group invoices #1471 in the amount of \$1,991.50 and invoice # 1474 in the amount of \$15,284.80 on the Canoe Creek Boat Launch. On a motion by Commissioner Brown, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the request to pay invoice #1471 in the amount of \$1,991.50 and invoice # 1474 in the amount of \$15,284.80 from The Kelly Group on Canoe Creek Boat Launch is approved.

The next item was to discuss the request of Sheriff Surles to declare various items as surplus and sell them on govdeals.com. On a motion by Commissioner Crowe, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the request of Sheriff Surles to declare various items as surplus and sell them on govdeals.com is approved. (List to be made a part of these minutes as Attachment #4)

The next item to discuss was the travel requests. On a motion by Commissioner Brown, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the travel requests that were presented are approved. (List to be made a part of these minutes as Attachment#5)

COUNTY ATTORNEY'S REPORT

The next item was to discuss Resolution 2017-59 that ratifies and confirms the decision of Governor Ivey to close state offices. On a motion by Commissioner Crowe, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that Resolution 2017-59 that ratifies and confirms the decision of Governor Ivey to close state offices is approved. (Resolution to be made a part of these minutes as Attachment #6)

OLD BUSINESS

There were no items of Old Business.

NEW BUSINESS

The first item of New Business was to discuss Resolution 2017-60 granting a Franchise to Charter Communications and to discuss the approval of the Charter Communications Franchise Agreement. On a motion by Commissioner Brown, seconded by Commissioner Crowe, with all voting aye, it was

RESOLVED, that Resolution 2017-60 granting a Franchise Charter Communications and Charter Communications Franchise Agreement is approved. (Resolution and Agreement to be made a part of these minutes as Attachment #7 & 7A)

The next item was to discuss Change Order No 2 for the Pell City Courthouse Lobby expansion which added panic hardware at the front door and to the basement door totaling \$1,905.00. On a motion by Commissioner Bowers, seconded by Commissioner Crowe, with all voting aye, it was

RESOLVED, that Change Order No 2 for the Pell City Courthouse Lobby expansion that added panic hardware at the front door and the

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basement door totaling \$1,905.00 is approved. (Change Order to be made a part of these minutes as Attachment #8)

The next item was to discuss approval of Alabama Department of Youth Services Long Term Detention Subsidy Contract in the amount of \$320,011.00. On a motion by Commissioner Crowe, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the Long Term Detention Subsidy Contract with the Alabama Department of Youth Services in the amount of \$320,011.00 is approved. (Contract to be made a part of these minutes as Attachment #9)

The next item was to discuss approval and acceptance of FY17 Supplemental EMPG (Emergency Management Performance Grant) in the amount of \$12,000.00 for having an EMA director certified by the Alabama Department of Emergency Management. On a motion by Commissioner Bowers, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the approval and acceptance of the FY17 Supplemental EMPG (Emergency Management Performance Grant) award in the amount of \$12,000.00 for having an EMA (Emergency Management Agency) director certified by the Alabama Department of Emergency Management is approved. (Grant to be made a part of these minutes as Attachment #10)

The next item was to discuss the request of Janet Smith to approve the amended local match commitment of \$337,370.00 on FY2018 5311 Grant Application and Resolution 2017-34. This includes the contract revenue amount of \$117,256.00. (Note: the non-federal match amount was originally approved for \$220,114.00 at the Commission meeting on April 25, 2017). On a motion by Commissioner Brown, seconded by Commissioner Crowe, with all voting aye, it was

RESOLVED, that the request of Janet Smith to approve the amended local match commitment of \$337,370.00 on FY2018 5311 Grant Application is approved. This includes the contract revenue amount of \$117,256.00. (Note: the non-federal match amount was originally approved for \$220,114.00 at the Commission meeting on April 25, 2017). (Grant application and Resolution to be made a part of these minutes as Attachment #11 & 11A)

The next item was to discuss the approval of Resolution 2017-58 proclaiming September 2017 as Gynecologic Cancer Awareness Month. On a motion by Commissioner Brown, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that Resolution 2017-58 proclaiming September 2017 as Gynecologic Cancer Awareness Month is approved. (Resolution to be made a part of these minutes as Attachment #12)

There were no board appointments.

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

RESOLVED, that the monthly 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 9:40 a.m. on a motion by Commissioner Brown, seconded by Commissioner Bowers, with all voting aye.

Paul Manning, Chairman

Jeff Brown, Commissioner

Ken Crowe, Commissioner

Tommy Bowers, Commissioner

Absent
Jimmy Roberts, Commissioner