

ST. CLAIR COUNTY COMMISSION MEETING JUNE 27, 2023

The St. Clair County Commission met in regular session on June 27, 2023, in the County Commission Chambers of the St. Clair County Courthouse in Pell City, Alabama.

Members Present: Stanley D. Batemon, Chairman
Jeff Brown, Commissioner District One
Ricky Parker, Commissioner District Two
Tommy Bowers, Commissioner District Three
Bob Mize, Commissioner District Four

Members Absent:

Others Present: Tina Morgan, Administrator
James E. Hill, Attorney
Dan Dahlke, Engineer
Michelle Layfield, CFO
Gary Hanner, License Inspector
Aislinn Campbell, E911 Director
Ken Crowe, Revenue Commissioner
Judge Andrew Weathington, Probate
Freddie Turrentine, Operations Director
David Atchison, St. Clair Times
Jason Goodgame, Construction Manager
Lyman Lovejoy, Realtor
Kathy Burke, Circuit Clerk
Pat Shipp, Citizen
Matt Tortorice, City of Margaret
Danny Foster, Veteran
Don Smith, EDC
Kristie Gibson, Citizen
Tracy Wolfe, Revenue
Chase Merrymon, Revenue
Lance Anderson, Revenue
Brandy Peoples, Revenue
Tony Rich, Revenue
Dennis Searcy, Citizen
Jacqueline Searcy, Revenue
Jennifer Nolen, T.J. Maxx
Kathy Burke, Circuit Clerk
LeeAnn Clark, Extension
Mike Mitchell, Waste Management
Randall Beard, Citizen

CALL TO ORDER of REGULAR MEETING

Chairman Batemon declared a quorum present at 9:20 a.m. and called the meeting to order.

APPROVAL OF AGENDA

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

RESOLVED, that amended agenda be approved.

APPROVAL OF MINUTES

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

RESOLVED, that the minutes of the Commission meeting on June 13, 2023, be approved.

ENGINEER'S REPORT

The first item of the Engineer's report was an informational item updating the road crews.

The next item of the Engineer's report was to discuss adopting Resolution 2023-56 in support of the State's ARPA (American Rescue Plan Act) funds where counties can apply for a \$150,000.00 grant through ADEM (Alabama Department of Environmental Management) to replace cross drains under County maintained roads with the County's portion \$102,990.38 for a total of \$252,990.38. On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that Resolution 2023-56 in support of the State's ARPA (American Rescue Plan Act) funds where counties can apply for a \$150,000.00 grant through ADEM (Alabama Department of Environmental Management) to replace cross drains under County maintained roads with the County's portion being \$102,990.38 for a total project cost of \$252,990.38 is approved. (Resolution to be made a part of these minutes as Attachment #1)

The next item of the Engineer's report was to approve the recommendation of County Engineer, Dan Dahlke, to award the bid for the fuel system equipment and software to Fueling Solutions in the amount of \$45,426.60, lowest responsible bidder. On a motion by Commissioner Parker, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the recommendation of County Engineer, Dan Dahlke, to award the bid for the fuel system equipment and software to Fueling Solutions in the amount of \$45,426.60, lowest responsible bidder is approved.

The next item of the Engineer's report was to approve a general fund budget amendment in the estimated amount of \$12,000.00 for repairs to the front parking lot at the Pell City Courthouse. On a motion by Commissioner Mize, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that a general fund budget amendment in the estimated amount of \$12,000.00 for repairs to the front parking lot at the Pell City Courthouse is approved.

The next item of the report was to approve the recommendation of County Engineer, Dan Dahlke, to hire Jake Owen into one of the vacant Seasonal Road Worker positions. On a motion by Commissioner Parker, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the recommendation of County Engineer, Dan Dahlke, to hire Jake Owen into one of the vacant Seasonal Road Worker positions be approved. (Letter to be made a part of these minutes as Attachment #2)

The next item of the Engineer's report was a request from Chairman Stan Batemon to amend the agenda to add an item to consider the request from St. Clair County School Board of Education for the County to enter into a contract to do some work paving school parking lots, not to exceed 50% of the cost of the project and by using the County's bid contract with Vulcan, pending County Attorney's review. On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that the request from Chairman Stan Batemon to amend the agenda to add an item to consider the request from St. Clair County School Board of Education for the County to enter into a contract to do some work paving school parking lots, not to exceed 50% of the cost of the project and by using the County's bid contract with Vulcan, pending County Attorney's review is approved. (Request & Contract to be made a part of these minutes as Attachment #3&3A)

ADMINISTRATOR'S REPORT

NONE

COUNTY ATTORNEY'S REPORT

The first item of the County Attorney's report was to discuss authorizing the County to pay for a claim for lost person property in the amount of \$2,700.00. On a motion by Commissioner Brown, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the County is authorized to pay for a claim for lost person property in the amount of \$2,700.00 is approved.

The next item of the County Attorney's report was to discuss creating a Contract, Part-time Evidence Custodian position. The Sheriff's Department will be responsible for posting and hiring for this contract position. On a motion by Commissioner Brown, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that creating a Contract, Part-time Evidence Custodian for the Sheriff's department with the Sheriff's department responsible for the posting and hiring for this contract position is approved. (Job description & contract to be made a part of these minutes as Attachment #4&4A)

CHAIRMAN STAN BATEMON'S REPORT

The first item of Chairman Batemon's report was to amend the agenda to add the item to consider the County to enter into a contract with the City of Springville for the Nature Preserve project in Springville with the County's portion, not to exceed \$35,000.00, for the project and the funding will come out of the Road & Building/Bridge fund, pending County Attorney's review. On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that to add an item to the agenda to consider the County to enter into a contract with the City of Springville for the Nature Preserve project in Springville with the County's portion, not to exceed \$35,000.00,

for the project and the funding will come out of the Road & Building/Bridge fund, pending County Attorney's review is approved. (Contract to be made a part of these minutes as Attachment #5)

COMMISSIONER JEFF BROWN'S REPORT

NONE

COMMISSIONER RICKY PARKER'S REPORT

NONE

COMMISSIONER TOMMY BOWER'S REPORT

Commissioner Bowers reported that he attended the Community meeting in Steele and that many citizens are very concerned about the potential project for the Chandler Mountain Pumped Storage by Alabama Power. Alabama Power is looking into a reservoir on top of the mountain and a reservoir down in Steele to produce hydroelectric power. Therefore, there would not be any recreation value to the reservoirs. The Commission intends to follow what is going on with the project and see if there is anything that we can do to help this situation.

COMMISSIONER BOB MIZE'S REPORT

NONE

OLD BUSINESS

NONE

NEW BUSINESS

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

RESOLVED, that the travel requests as presented in the work session are approved. (Travel requests to be made a part of these minutes as Attachment #6)

The next item was to discuss approval of the request of Jason Goodgame, Construction Manager, for a change order from Holland & Seals for the Pandemic Center to re-route the sewer force main in the amount of \$8,670.00. This will require a General Fund budget amendment. On a motion by Commissioner Parker, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the request of Jason Goodgame, Construction Manager, for a change order from Holland & Seals for the Pandemic Center to re-route the sewer force main in the amount of \$8,670.00, which will be require a General Fund budget amendment is approved. (Change order to be made a part of these minutes as Attachment #7)

The next item was to discuss approval to purchase furniture for the mental health office and the IT office for the new jail in Pell City in the estimated amount of \$34,244.20, this will be paid out of the General fund and purchased off the State bid list. This will require a General Fund budget amendment. On a motion by Commissioner Bowers, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the purchase of furniture for the mental health office and the IT office for the new jail in Pell City in the estimated

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amount of \$34,244.20, which will be purchased off the State bid list and will require a General Fund budget amendment is approved.

The next item was to discuss rescinding the request from Ashley Hay, Public Recreation Asset Manager, for the quote from Alabama Ornamental, Inc., to purchase & install operating equipment to the existing gate at the Arena/Pandemic Center in the estimated amount of \$12,000.00 the request was approved on the meeting of June 13, 2023. On a motion by Commissioner Brown, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the request from Ashley Hay, Public Recreation Asset Manager, for the quote from Alabama Ornamental, Inc., to purchase & install operating equipment to the existing gate at the Arena/Pandemic Center in the estimated amount of \$12,000.00, that was approved on the meeting of June 13, 2023, be rescinded.

The next item was to discuss approval of the request from Ashley Hay, Public Recreation Asset Manager, for a quote from Try Me Fencing for the purchase & installation of operating equipment to the existing gate at the Arena/Pandemic Center in the estimated amount of \$11,000.00. On a motion by Commissioner Brown, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request from Ashley Hay, Public Recreation Asset Manager, for a quote from Try Me Fencing for the purchase & installation of operating equipment to the existing gate at the Arena/Pandemic Center in the estimated amount of \$11,000.00 is approved.

The next item was to discuss approval of the request from Ashley Hay, Public Recreation Asset Manager, for the Park Master plan/proposal from Macknally Land Design at the Arena/Pandemic Center in the estimated amount of \$10,200.00. This will require a General Fund budget amendment. On a motion by Commissioner Mize, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the request from Ashley Hay, Public Recreation Asset Manager, for the Park Master plan/proposal from Macknally Land Design at the Arena/Pandemic Center in the estimated amount of \$10,200.00, which will require a General Fund budget amendment is approved. (Proposal to be made a part of these minutes as Attachment #8)

The next item was to discuss the request from Probate Judge, Andrew Weathington, for approval of a quote from Allen Service for the purchase & installation of one mini split unit for the Pell City probate office in the amount of \$11,969.00. On a motion by Commissioner Mize, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the request from Probate Judge, Andrew Weathington, for a quote from Allen Service for the purchase & installation of one mini split unit for the Pell City probate office in the amount of \$11,969.00 is approved.

The next item was to discuss approval of the request from Revenue Commissioner, Ken Crowe, for approval of a quote from Allen Service for the purchase &

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installation of one mini split unit for the Pell City revenue office in the amount of \$14,918.00. On a motion by Commissioner Parker, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the request from Revenue Commissioner, Ken Crowe, for a quote from Allen Service for the purchase & installation of one mini split unit for the Pell City revenue office in the amount of \$14,918.00 is approved.

The next item was to discuss a quote from Rich Electric for the electrical work for the mini split units in the estimated amount of \$3,970.00. On a motion by Commissioner Mize, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that a quote from Rich Electric for the electrical work for the mini split units in the estimated amount of \$3,970.00 is approved.

The next item was to discuss a quote from D & D Insulation, LLC., to remove & replace ceiling tile in the large courtroom at the Pell City Courthouse in the amount of \$14,950.00. On a motion by Commissioner Parker, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that a quote from D & D Insulation, LLC., to remove & replace ceiling tile in the large courtroom at the Pell City Courthouse in the amount of \$14,950.00 is approved.

The next item was to discuss approval for Whorton Engineering to prepare specs and let bid for the courthouse HVAC controls. On a motion by Commissioner Mize, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that Whorton Engineering will prepare specs and let bid for the courthouse HVAC controls are approved.

The next item was to discuss the request of Sheriff Murray to award Bid #2023-37 for five (5) SUV'S for the Sheriff's department to Donohoo Chevrolet, LLC., the lowest responsible bidder. On a motion by Commissioner Parker, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the request of Sheriff Murray to award Bid #2023-37 for five (5) SUV'S for the Sheriff's department to Donohoo Chevrolet, LLC., the lowest responsible bidder is approved.

The next item was to discuss the request of Sheriff Murray to let bid #2023-40 for ten (10) additional 4WD Commercial SUV'S for the Sheriff's department. On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that the request of Sheriff Murray to let bid #2023-40 for ten (10) additional 4WD Commercial SUV'S for the Sheriff's department is approved.

The next item was to discuss approval of the request of Sheriff Murray for an agreement with Axon Enterprise, Inc., for Taser equipment & training in the estimated amount of \$89,064.00, pending the County Attorney's review. This falls under the safety & security exception to the bid law. On a motion by

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

RESOLVED, that the request of Sheriff Murray for an agreement with Axon Enterprise, Inc., for Taser equipment & training in the estimated amount of \$89,064.00, pending the County Attorney's review is approved. This falls under the safety & security exception to the bid law. (Agreement to be made a part of these minutes as Attachment #9)

The next item was to discuss removing two Kawasaki ATVs (Vin#5823 & VIN#6178) & one Kubota side by side (VIN#7886) from the Sheriff's inventory. These were traded in on new equipment. On a motion by Commissioner Mize, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that removing two Kawasaki ATVs (Vin#5823 & VIN#6178) & one Kubota side by side (VIN#7886) from the Sheriff's inventory (These were traded in on new equipment) are approved.

The next item was to discuss ratifying an amendment to a Hargray agreement for the jail. First approved on 4-12-22. On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that an amendment to a Hargray agreement for the jail. first approved on 4-12-22 be ratified. (Agreement to be made a part of these minutes as Attachment #10)

The next item was to discuss renewal of the Southern Software contracts for the upcoming FY23-24 Sheriff's office budget. On a motion by Commissioner Parker, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that renewing the Southern Software contracts for the upcoming FY23-24 Sheriff's office budget are approved. (Contracts to be made a part of these minutes as Attachment #11)

The next item was to discuss adopting Resolution 2023-53 amending the territories of Wattsville Water Authority. On a motion by Commissioner Bowers, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that Resolution 2023-53 amending the territories of Wattsville Water Authority is approved. (Resolution to be made a part of these minutes as Attachment #12)

The next item was to discuss adopting Resolution 2023-54 amending the territories of the Cook Springs Water Authority. On a motion by Commissioner Brown, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that Resolution 2023-54 amending the territories of the Cook Springs Water Authority is approved. (Resolution to be made a part of these minutes as Attachment #13)

The next item was to discuss adopting Resolution 2023-55 recognizing Jacqueline Searcy, Revenue employee, on her retirement. On a motion by Commissioner Mize, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that Resolution 2023-55 recognizing Jacqueline Searcy, Revenue employee, on her retirement is approved. (Resolution to be made a part of these minutes as Attachment #14)

The next item was to discuss the request of E911 Director, Aislinn Campbell, to pay an invoice without a purchase order to Siemens in the amount of \$7,498.00, invoice will be paid out of the Operations fund. The PO was issued for FY21-22, but the project was not completed until FY22-23. This will require an Operations Fund budget amendment. On a motion by Commissioner Mize, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the request of E911 Director, Aislinn Campbell, to pay an invoice without a purchase order to Siemens in the amount of \$7,498.00 to be paid out of the Operations fund and will require a budget amendment is approved.

The next item was to discuss the request of Patrice Kurzejeski, EMA Director, to apply and accept, if awarded, an FY24 ADPH (Alabama Department of Public Health) Cities Readiness Initiative grant. On a motion by Commissioner Brown, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request of Patrice Kurzejeski, EMA Director, to apply and accept, if awarded, an FY24 ADPH (Alabama Department of Public Health) Cities Readiness Initiative grant is approved.

Board Appointments

NONE

Informational item for record of the minutes: Janet Smith, Public Transportation Director, has hired three new drivers.

Pam Skelton Start date 6/16/23

Leslie Smith Start date 6/12/23

Hope Hamilton Start date 6/20/23

The next item for discussion was to approve payment of the monthly bills. On a motion by Commissioner Mize, seconded by Commissioner Bowers, 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.

The next item of business was to convene into Executive Session. The County Attorney, James Hill, said that the purpose of the Executive Session is to discuss matters regarding preliminary negotiations involving matters of trade or commerce and he anticipates the Commission being in Executive Session for a period of about 15 minutes. Also, no action will be taken while the Commission is in Executive Session. Mr. Hill presented his opinion letter to be made a part of the minutes in accordance with the act that he gives as reasons and justification for the session.

Chairman Batemon requested the commission to enter into Executive Session to discuss matters related to potential litigation at 10:20 a.m. Commissioner Parker made a motion for approval and motion was seconded by Commissioner Bowers. The motion was regularly put, and upon roll call, the vote thereon was as follows:

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Ayes: Chairman Stan Batemon
Commissioner Jeff Brown
Commissioner Ricky Parker
Commissioner Tommy Bowers
Commissioner Bob Mize

Nays: None

RESOLVED, that the Commission enter into Executive Session.
(Opinion Letter to be made as part of these minutes as Attachment
#15)

There being no further business, the meeting adjourned, subject to call, at approximately 10:35 a.m. On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye.

{SIGNATURE PAGE TO FOLLOW}

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Stanley D. Batemon, Chairman

Jeff Brown, Commissioner

Ricky Parker, Commissioner

Tommy Bowers, Commissioner

Bob Mize, Commissioner