

ST. CLAIR COUNTY COMMISSION MEETING AUGUST 17, 2023

The St. Clair County Commission met in regular session on August 17, 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  
Corey Phillips, Assistant Deputy Administrator  
Michelle Layfield, CFO  
Sheriff Billy Murray  
Ashley Hay, Asset manager  
Gary Hanner, License Inspector  
Patrice Kurzejeski, EMA Director  
Kathy Burke, Circuit Clerk  
David Atchison, St. Clair Times  
Jason Goodgame, Construction Manager  
Michelle Layfield, CFO  
Aislinn Campbell, 911 Director  
Judge Phil Seay  
Don Smith, EDC  
Matt Tortoricci, Argo City Council

**CALL TO ORDER of REGULAR MEETING**

Chairman Batemon declared a quorum present at 1:49 p.m. and called the meeting to order.

**APPROVAL OF AGENDA**

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

RESOLVED, that the agenda be approved.

**APPROVAL OF MINUTES**

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

RESOLVED, that the minutes of the Commission meeting on August 8, 2023, be approved.

**ENGINEER'S REPORT**

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

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The next item of the Engineer's report was to discuss adopting Resolution 2023-63 for an ADEM (Alabama Department of Environmental Management) Grant in the amount of \$126,446.58, the County's portion is 35% (\$44,256.30). On a motion by Commissioner Bowers, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that Resolution 2023-63 for an ADEM (Alabama Department of Environmental Management) Grant in the amount of \$126,446.58, the County's portion is 35% (\$44,256.30) is approved. (Resolution to be made a part of these minutes as Attachment #1)

The next item of the Engineer's report was to adopt Resolution 2023-64 for County Transportation Plan (CTP) for using the Rebuild Alabama funds for FY24. On a motion by Commissioner Brown, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that Resolution 2023-64 for County Transportation Plan (CTP) for using the Rebuild Alabama funds for FY24 is approved. (Resolution to be made a part of these minutes as Attachment #2)

The next item of the Engineer's report was to discuss approval of the recommendation of County Engineer, Dan Dahlke, to award Bid 2023-43 for a single axle pull truck Nextran in the amount of \$117,967.00 with the 24-month extended warranty option. On a motion by Commissioner Mize, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the recommendation of County Engineer, Dan Dahlke, to award Bid 2023-43 for a single axle pull truck Nextran in the amount of \$117,967.00 with the 24 month extended warranty option is approved.

The next item of the Engineer's report was to discuss approval of a budget amendment for item #4 of the County Engineer's report for Bid 2023-43. On a motion by Commissioner Bowers, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that a budget amendment for item #4 of the County Engineer's report for Bid 2023-43 is approved.

The next item of the Engineer's report was to discuss approval of the recommendation of County Engineer, Dan Dahlke, to award Bid 2023-42 to relocate a portion of Lakeview Canyon Road to Seawright and Robinson Construction in the amount of \$56,700.00. On a motion by Commissioner Brown, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the recommendation of County Engineer, Dan Dahlke, to award Bid 2023-42 to relocate a portion of Lakeview Canyon Road to Seawright and Robinson Construction in the amount of \$56,700.00 is approved.

The next item of the Engineer's report was to discuss approval of a proposal from Tillman Consulting to handle the Right-of-Way Acquisition for the intersection improvement project at US Hwy 411 and Kerr Road in the amount of \$19,200.00. On a motion by Commissioner Parker, seconded by Commissioner Brown, with all voting aye, it was

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RESOLVED, that a proposal from Tillman Consulting to handle the Right-of-Way Acquisition for the intersection improvement project at US Hwy 411 and Kerr Road in the amount of \$19,200.00 is approved. (Agreement to be made a part of these minutes as Attachment #3)

The next item of the Engineer's report was to discuss Amendment No. 1 to the MOU (Memorandum of Understanding) between the State of Alabama Department of Conservation and Natural Resources for the aggregate to pave the nature preserve road in Springville. On a motion by Commissioner Mize, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that Amendment No. 1 to the MOU (Memorandum of Understanding) between the State of Alabama Department of Conservation and Natural Resources for the aggregate to pave the nature preserve road in Springville is approved. (Amendment to be made a part of these minutes as Attachment #4)

**ADMINISTRATOR'S REPORT**

NONE

**COUNTY ATTORNEY'S REPORT**

NONE

**CHAIRMAN STAN BATEMON'S REPORT**

NONE

**COMMISSIONER JEFF BROWN'S REPORT**

NONE

**COMMISSIONER RICKY PARKER'S REPORT**

NONE

**COMMISSIONER TOMMY BOWER'S REPORT**

Commissioner Bowers reported that Alabama Power has requested to withdraw the Notification of Intent and terminate the licensing process for the Chandler Mountain Pumped Storage project. Alabama Power also filed with Federal Energy Regulatory Commission (FERC) a petition to surrender the preliminary permit.

**COMMISSIONER BOB MIZE'S REPORT**

NONE

**OLD BUSINESS**

The first item of Old business was to adopt Resolution 2023-57 for the Development agreement between the County and I-20 Truck Sales, LLC., tabled from the July 11, 2023 & August 8, 2023, Commission Meeting. On a motion by Commissioner Parker, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that Resolution 2023-57 for the Development agreement between the County and I-20 Truck Sales, LLC., tabled from the July 11 & August 8, 2023 Commission Meeting is approved. (Resolution to be made a part of these minutes as Attachment #5)

The next item was to discuss adoption Resolution 2023-58 authorizing the County to issue a Certificate of Indebtedness regarding the project development agreement

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between the County and I-20 Truck Sales LLC., tabled from July 11, 2023 & August 8, 2023, Commission Meeting. On a motion by Commissioner Mize, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that Resolution 2023-58 authorizing the County to issue a Certificate of Indebtedness regarding the project development agreement between the County and I-20 Truck Sales LLC., tabled from July 11, 2023 & August 8, 2023, Commission Meeting is approved. (Resolution to be made a part of these minutes as Attachment #6)

**NEW BUSINESS**

The first item of new business was to discuss approval to ratify purchases made on the county credit card and approval for the County Attorney to revise Policy #59. On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that ratifying purchases made on the county credit card and approval for the County Attorney to revise Policy #59 are approved. (Policy to be made a part of these minutes as Attachment #7)

The next item was to discuss approval of the request from Davis Lake Fire Department for the County to match 5% of the grant that Davis Lake Fire Department has been awarded for a P25 Radio grant. On a motion by Commissioner Mize, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the request from Davis Lake Fire Department for the County to match 5% of the grant that Davis Lake Fire Department has been awarded for a P25 Radio grant is approved.

The next item was to discuss the request from the Commission office staff to renew the Diversified Computer Services agreement for PROCORE (Licensed software for management in project compliance reporting) in the amount of \$12,000.00 annually. On a motion by Commissioner Bowers, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request from the Commission office staff to renew the Diversified Computer Services agreement for PROCORE (Licensed software for management in project compliance reporting) in the amount of \$12,000.00 annually is approved. (Agreement to be made a part of these minutes as Attachment #8)

The next item was to discuss approval of the request for an appropriation from the St. Clair County Health Care Authority in an estimated amount of \$10,000.00. On a motion by Commissioner Bowers, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request for an appropriation from the St. Clair County Health Care Authority in an estimated amount of \$10,000.00 is approved. (Letter to be made a part of these minutes as Attachment #9)

The next item was to discuss approval of the request of Construction Manager, Jason Goodgame, for a change order from Holland and Seals in the amount of

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\$30,544.00 for the Pandemic Response Center and approval of a General fund budget amendment. On a motion by Commissioner Brown, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request of Construction Manager, Jason Goodgame, for a change order from Holland and Seals in the amount of \$30,544.00 for the Pandemic Response Center and a General fund budget amendment are approved. (Change order to be made a part of these minutes as Attachment #10)

The next item was to discuss approval of the request of Sheriff Billy Murray for an employee contract with Paul Monk for three-years as a part-time, Jail Administrator Trainor. On a motion by Commissioner Parker, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that the request of Sheriff Billy Murray for an employee contract with Paul Monk for three-years as a part-time, Jail Administrator Trainor be approved. (Contract to be made a part of these minutes as Attachment #11)

The next item was to discuss approval of the request of IT Supervisor, Glenn Morgan, to pay an invoice without a purchase order to Johnson Controls in the amount of \$1,167.47 and approval of a budget amendment. On a motion by Commissioner Parker, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the request of IT Supervisor, Glenn Morgan, to pay an invoice without a purchase order to Johnson Controls in the amount of \$1,167.47 and approval of a budget amendment are approved.

The next item was to discuss approval of the request of EMA Director, Patrice Kurzejeski, to renew the annual Kyocera maintenance agreement for their copier. On a motion by Commissioner Brown, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request of EMA Director, Patrice Kurzejeski, to renew the annual Kyocera maintenance agreement for their copier is approved. (Agreement to be made a part of these minutes as Attachment #12)

The next item was to discuss approval of the request from EMA Director, Patrice Kurzejeski to award the ADPH (Alabama Department of Public Health) FY24 Cities Readiness Initiative grant #C30116198 in the amount of \$45,000.00. On a motion by Commissioner Parker, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the request from EMA Director, Patrice Kurzejeski to award the ADPH (Alabama Department of Public Health) FY24 Cities Readiness Initiative grant #C30116198 in the amount of \$45,000.00 is approved. (Document to be made a part of these minutes as Attachment #13)

The next item was to discuss approval of the request of Roddy Wolfe, Safety Coordinator/Property Manager, to cancel the HSI contract for Safety

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training/compliance materials. On a motion by Commissioner Mize, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the request of Roddy Wolfe, Safety Coordinator/Property Manager, to cancel the HSI contract for Safety training/compliance materials is approved.

The next item was to discuss approval of the request from the St. Clair BOE (Board of Education) for school projects in the amount of \$7,500.00, pending the Count Attorney's review. On a motion by Commissioner Parker, seconded by Commissioner Brown, with all voting aye, it was

RESOLVED, that the request from the St. Clair BOE (Board of Education) for school projects in the amount of \$7,500.00, pending the Count Attorney's review is approved. (Letter to be made a part of these minutes as Attachment #14)

The next item was to discuss approval of the request from IT Supervisor, Glenn Morgan, to renew the Lenel/Vision Security Technologies for Lenel OnGuard software upgrade and support plan agreement. On a motion by Commissioner Brown, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request from IT Supervisor, Glenn Morgan, to renew the Lenel/Vision Security Technologies for the Lenel OnGuard software upgrade and support plan agreement is approved. (Agreement to be made a part of these minutes as Attachment #15)

The next item was to discuss adopting Resolution 2023-65 to allocate SSUT monies for SROs (School Resource Officers). On a motion by Commissioner Mize, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that Resolution 2023-65 to allocate SSUT monies for SROs (School Resource Officers) is approved. (Resolution to be made a part of these minutes as Attachment #16)

The next item to discuss was to approve the travel requests as presented in the work session. On a motion by Commissioner Parker, seconded by Commissioner Bowers, 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 #17)

### **Board Appointments**

NONE

The next item of business was to convene into Executive Session. County Attorney, James Hill, stated that the purpose of the Executives Session is to discuss matters related to potential litigation and he anticipates the Commission being in Executive Session for a period of no longer than 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 these minutes in accordance with the act that he gives as reasons and justification for the session.

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Chairman Batemon requested the Commission to enter into Executive Session to discuss matters related to potential litigation at 2:05 p.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:

Ayes:                   Chairman Stanley D. 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 a part of these minutes as Attachment #18)

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.

There being no further business, the meeting adjourned, subject to call, at approximately 2:18 p.m. On a motion by Commissioner Parker, seconded by Commissioner Brown, with all voting aye.

{SIGNATURE PAGE TO FOLLOW}

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Stanley D. Batemon, Chairman

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Jeff Brown, Commissioner

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Ricky Parker, Commissioner

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Tommy Bowers, Commissioner

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Bob Mize, Commissioner