

ST. CLAIR COUNTY COMMISSION MEETING OCTOBER 10, 2023

The St. Clair County Commission met in regular session on October 10, 2023, in the St. Clair County Commission Chambers of the St. Clair County Courthouse Annex #1 (Administrative Center) in Ashville, Alabama

Members Present: Jeff Brown, Commissioner District One  
Ricky Parker, Commissioner District Two  
Tommy Bowers, Commissioner District Three  
Bob Mize, Commissioner District Four

Members Absent: Stanley D. Batemon, Chairman

Others Present: Tina Morgan, Administrator  
Corey Phillips, Assistant Deputy Administrator  
James Hill, County Attorney  
Gary Hanner, Compliance officer  
Brian Price, Revenue  
Elizabeth Mealer, Citizen  
Jason Goodgame, Construction Manager  
Dan Dahlke, Engineer  
Cathy Wise-Fine, St. Clair BOE  
Ken Crowe, Revenue Commissioner Crowe  
Lyman Lovejoy, Realtor  
Pat Shipp, Visitor  
David Atchison, St. Clair Times

**CALL TO ORDER of REGULAR MEETING**

Chairman Pro-tem, Jeff Brown, declared a quorum present at 9:01 a.m. and called the Regular meeting to order.

**APPROVAL OF AGENDA-Amend agenda to add item #24 under New business to enter into Executive session to discuss matters related to litigation.**  
On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that adding item #24 under New business to the agenda to enter into Executive session to discuss matters related to litigation be amended.

**APPROVAL OF MINUTES**

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

RESOLVED, that the minutes of the regular meeting on September 26, 2023, be approved.

**ENGINEER'S REPORT**

The first item of the Engineer's report was an informational item on road crews and projects.

The next item of the Engineer's report was to approve a maintenance agreement between the County and the City of Moody for the placement of a traffic light at the intersection of I-20 and Kelly Creek Road in Moody. The County & the City of

ST. CLAIR COUNTY COMMISSION MEETING OCTOBER 10, 2023

Moody will each pay \$75,000.00. On a motion by Commissioner Parker, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that a maintenance agreement between the County and the City of Moody for the placement of a traffic light at the intersection of I-20 and Kelly Creek Road in Moody with the County & the City of Moody each paying \$75,000.00 for the project is approved. (Agreement to be made a part of these minutes as Attachment #1)

**ADMINISTRATOR'S REPORT**

None

**COUNTY ATTORNEY'S REPORT**

The first item of the County Attorney's report was an informational item to be recorded in the minutes: County Attorney, James Hill gave an update on the landfill fire in Moody. The County and the Environmental Protection Agency (EPA) have been notified that there is a sinkhole and EPA is going to address the sinkhole.

**OLD BUSINESS**

Consider the request of Trade name: The Liquor Store for approval of a 011 Lounge Retail Liquor-Class II (Package) for Applicant: Asquare Two Inc., located at 13899 Greensport Road Ashville, AL 35953, tabled, per County policy, at the meeting of Sept. 26, 2023. On a motion by Commissioner Bowers, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request of Trade name: The Liquor Store for a 011 Lounge Retail Liquor-Class II (Package) for Applicant: Asquare Two Inc., located at 13899 Greensport Road Ashville, AL 35953 is approved. The request was tabled, per County policy, at the meeting of September 26, 2023.

**CHAIRMAN STAN BATEMON'S REPORT**

Absent

**DISTRICT ONE, JEFF BROWN'S REPORT**

None

**DISTRICT TWO, RICKY PARKER'S REPORT**

None

**DISTRICT THREE, TOMMY BOWER'S REPORT**

None

**DISTRICT FOUR, BOB MIZE'S REPORT**

None

**NEW BUSINESS**

The first item of new business was to discuss rescheduling the Thursday, November 23rd work session to 9am on Tuesday, November 28, 2023, with the Commission meeting will follow the work session. Both meetings will be held in Pell City. This is due to the Thanksgiving holiday, On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye, it was

ST. CLAIR COUNTY COMMISSION MEETING OCTOBER 10, 2023

RESOLVED, that rescheduling the Thursday, November 23rd work session to 9am on Tuesday, November 28, 2023, with the Commission meeting following the work session and both meetings will be held in Pell City is approved.

The next item was to discuss rescheduling the 1pm work session on Thursday, December 21, 2023, to 9am and rescheduling the Tuesday, December 26<sup>th</sup> Commission meeting to Thursday, December 21<sup>st</sup> to follow the 9am work session. Both meetings will be held in Pell City, this is due to the Christmas holiday. On a motion by Commissioner Parker, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that rescheduling the 1pm work session on Thursday, December 21, 2023, to 9am, then rescheduling the Tuesday, December 26<sup>th</sup> Commission meeting to Thursday, December 21<sup>st</sup> to follow the 9am work session, with both meetings will be held in Pell City is approved.

The next item was to discuss approval of an amendment to the contract with Auburn University/Alabama Cooperative Extension through September 30, 2024, for the Veteran's Outreach Program in the estimated amount of \$4,545.97 for a total contract amount of \$63,495.97. On a motion by Commissioner Parker, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the contract with Auburn University/Alabama Cooperative Extension for the Veteran's Outreach Program for FY24 increase in the estimated amount of \$4,545.97 for a total contract amount of \$63,495.97 be amended. (Contract to be made a part of these minutes as Attachment #2)

The next item was to discuss approval of the request from Bob Osborn for an appropriation in the amount of \$340.00 for signs to display in the Veterans Day Parade. On a motion by Commissioner Mize, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request from Bob Osborn for an appropriation in the amount of \$340.00 for signs to display in the Veterans Day Parade is approved. (Letter to be made a part of these minutes as Attachment #3)

The next item was to discuss the request of the IT Manager, Glenn Morgan, to approve two new contracts for the FY24 budget. Windstream for Network Infrastructure upgrades (3 yr. agreement for \$13,860.00/yr.), Hargray for Network Infrastructure upgrades (2 yr. agreement for \$19,788.00/yr.), pending the County Attorney's review. Windstream & Hargray are sole source providers for the services needed at the Arena/Pandemic Response Center to connect the North & South end of our County network. On a motion by Commissioner Bowers, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request of the IT Manager, Glenn Morgan, for two new contracts for the FY24 budget. Windstream for Network Infrastructure upgrades (3yr. agreement for \$13,860.00/yr.), Hargray for Network Infrastructure upgrades (2yr. agreement for \$19,788.00/yr.), pending the County Attorney's review (Windstream

ST. CLAIR COUNTY COMMISSION MEETING OCTOBER 10, 2023

& Hargray are sole source providers for the services needed at the Arena/Pandemic Response Center to connect the North & South end of our County network) are approved. (Agreements to be made a part of these minutes as Attachment #4)

The next item was to discuss approval of the request of the IT Manager, Glenn Morgan, to renew the CivicPlus contract for the County website (\$5,211.25/yr.). On a motion by Commissioner Mize, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request of the IT Manager, Glenn Morgan, to renew the CivicPlus contract for the County website (\$5,211.25/yr.) is approved. (Contract to be made a part of these minutes as Attachment #5)

The next item was to discuss the approval of the request of Roddy Wolfe, Property Manager, to renew the AutoClear agreement for cleaning and inspecting the X-ray equipment in the amount of \$2,200.00/yr. On a motion by Commissioner Parker, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that approval of the request of Roddy Wolfe, Property Manager, to renew the AutoClear agreement for cleaning and inspecting X-ray equipment in the amount of \$2,200.00 is approved. (Agreement to be made a part of these minutes as Attachment #6)

The next item was to discuss approval of the request from the St. Clair County Board of Education (BOE) to receive a PA System as a donation from the St. Clair County Commission Park & Recreation Department. On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that the request from the St. Clair County Board of Education (BOE) to receive a PA System as a donation from the St. Clair County Commission Park & Recreation Department is approved. (Letter to be made a part of these minutes as Attachment #7)

The next item was to discuss rescinding the agreement with Norfolk Southern Railroad, approved on 12-13-2022, for the new radio system in the amount of \$2,150.00/per month. On a motion by Commissioner Parker, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that the agreement with Norfolk Southern Railroad, that was approved on 12-13-2022, for the new radio system in the amount of \$2,150.00/per month be rescinded.

The next item was to discuss rescinding Resolution 2023-09, approved on 11-3-2022, for victims of Sex Trafficking (Wellhouse). On a motion by Commissioner Parker, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that Resolution 2023-09, approved on 11-3-2022, for victims of Sex Trafficking (Wellhouse) be rescinded.

ST. CLAIR COUNTY COMMISSION MEETING OCTOBER 10, 2023

The next item was to discuss adopting Resolution 2024-01 for the Severe Weather Preparedness Holiday, observed in February 2024. On a motion by Commissioner Parker, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that Resolution 2024-01 for the Severe Weather Preparedness Holiday, observed in February 2024, is approved. (Resolution to be made a part of these minutes as Attachment #8)

The next item was to discuss approval of the Our Kids Multi-Agency Grant agreement for the Alabama Department of Youth Services in the amount of \$30,000.00 to supplement the St. Clair County Day Program. On a motion by Commissioner Bowers, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the Our Kids Multi-Agency Grant agreement for the Alabama Department of Youth Services in the amount of \$30,000.00 to supplement the St. Clair County Day Program is approved. (Agreement to be made a part of these minutes as Attachment #9)

The next item was to discuss approval of the Association's Workers' Compensation Self Insurers Fund (WCSIF) for 2023-24 in the amount of \$360,684.45. On a motion by Commissioner Parker, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that the Association's Workers' Compensation Self Insurers Fund (WCSIF) for 2023-24 in the amount of \$360,684.45 is approved. (Document to be made a part of these minutes as Attachment #10)

The next item to discuss was approval of the request of Andrew Weathington, Probate Judge, to declare a Lexmark copier as surplus and sell on Gov.deals.com. On a motion by Commissioner Parker, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the request of Andrew Weathington, Probate Judge, to declare a Lexmark copier as surplus and sell on Gov.deals.com is approved. (Document to be made a part of these minutes as Attachment #11)

The next item to discuss was the request of Patrice Kurzejeski, EMA Director, for a service agreement with Energy Systems Southeast, LLC., (ESSE) for Generac light towers in the amount of \$700.00, pending the County Attorney's review. On a motion by Commissioner Bowers, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request of Patrice Kurzejeski, EMA Director, for a service agreement with Energy Systems Southeast, LLC., (ESSE) for Generac light towers in the amount of \$700.00, pending the County Attorney's review is approved. (Agreement to be made a part of these minutes as Attachment #12)

ST. CLAIR COUNTY COMMISSION MEETING OCTOBER 10, 2023

The next item to discuss was approval of the request of Public Transportation Director, Janet Smith, to adopt Resolution 2024-02 to enter into a third-party agreement with Middle Alabama Area Agency on Aging (M4A) to provide Public Transportation services for FY24. On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that the request of Public Transportation Director, Janet Smith, to adopt Resolution 2024-02 to enter into a third-party agreement with Middle Alabama Area Agency on Aging (M4A) to provide Public Transportation services for FY24 is approved. (Resolution to be made a part of these minutes as Attachment #13)

The next item to discuss was approval of the request of Public Transportation Director, Janet Smith, to pay an invoice without a purchase order to Vulcan Tire & Automotive for emergency repairs in the amount of \$224.90. On a motion by Commissioner Parker, seconded by Commissioner Bowers, with all voting aye, it was

RESOLVED, that the request of Public Transportation Director, Janet Smith, to pay an invoice without a purchase order to Vulcan Tire & Automotive for emergency repairs in the amount of \$224.90 is approved.

The next item to discuss was approval of the request of Public Transportation Director, Janet Smith, to pay an invoice without a purchase order to Vulcan Tire & Automotive for emergency repairs in the amount of \$199.95. On a motion by Commissioner Bowers, seconded by Commissioner Parker, with all voting aye, it was

RESOLVED, that the request of Public Transportation Director, Janet Smith, to pay an invoice without a purchase order to Vulcan Tire & Automotive for emergency repairs in the amount of \$199.95 is approved.

The next item to discuss was approval of the FY24 Holiday schedule. On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye, it was

RESOLVED, that the FY24 Holiday schedule is approved. (Schedule to be made a part of these minutes as Attachment #14)

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

RESOLVED, that the travel requests are approved. (Travel requests to be made a part of these minutes as Attachment #15)

**Board Appointments**

None

Informational item to be recorded in the minutes: The Road Dept. is transferring a 2006 Chevy 4wd pickup truck Vin #3174 to the Park & Recreation department.

**Regular bills**

None due to close out of FY23.

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 litigation, 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 pro-tem requested the commission to enter into Executive Session to discuss matters related to litigation at 9:17 a.m. Commission Bowers made a motion for approval and motion was seconded by Commissioner Mize. The motion was regularly put, and upon roll call, the vote thereon was as follows:

Roll Call Vote

Ayes:                    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 #16)

There being no further business, the meeting adjourned, subject to call, at approximately 9:35 a.m. On a motion by Commissioner Bowers, seconded by Commissioner Mize, with all voting aye.

{ SIGNATURE PAGE TO FOLLOW }

ST. CLAIR COUNTY COMMISSION MEETING OCTOBER 10, 2023

Absent

Stanley D. Batemon, Chairman

Jeff Brown, Commissioner

Ricky Parker, Commissioner

Tommy Bowers, Commissioner

Bob Mize, Commissioner