

05/27/2020

The Marshall County Commission met in regular session on Wednesday, May 27, 2020 at 10:00am in the Marshall County Commission Chambers.

PRESENT:

James Hutcheson, Chairman
Shelly Fleisher, County Administrator
Ronny Shumate, District 1 Commissioner
James R. Watson, District 2 Commissioner
David Kelley, District 3 Commissioner
Joey Baker, District 4 Commissioner
Bob Pirando, County Engineer
Karen Young, Administrative Assistant
Clint Maze, County Attorney
Norma Parker, Commission Clerk

Chairman Hutcheson called the meeting to order and asked Attorney Clint Maze to lead the Invocation. He then asked Commissioner Rick Watson to lead the Pledge of Allegiance.

CONSENT AGENDA

A motion was made by Commissioner Kelley, duly seconded by Commissioner Watson, and all members voting affirmatively and so carried to approve the consent agenda as read by Chairman Hutcheson. The consent agenda includes the minutes from the March 11, 2020 meeting and Emergency Meetings on March 16, March 30, April 22 and May 1, 2020 along with the claims docket for March 10 – May 25, 2020 for \$3,962,374.90.

DISTRICT 2 – APPROVE INDUSTRIAL FUNDING AGREEMENT FOR BUCK ISLAND ROAD (PROJECT NO. IAR-048-000-020)

A motion was made by Commissioner Watson, duly seconded by Commissioner Kelley, and all members voting affirmatively and so carried to approve Industrial Funding Agreement for Buck Island Road (Project No. IAR-048-000-020) as recommended by the County Engineer. This is a construction finance agreement for the industrial access project on Buck Island Road. The estimated cost is \$210,000.00.

DISTRICT 2 – APPROVE BID AWARD TO REHABILITATE/REPLACE BRIDGE DECK, CAVERN COVE ROAD AT LITTLE PAINT CREEK

A motion was made by Commissioner Watson, duly seconded by Commissioner Kelley, and all members voting affirmatively and so carried to award low bid #52-19 to Miller & Miller out of Huntsville, AL as recommended by the Engineer.

ANIMAL CONTROL – APPROVE BID AWARD TO RENOVATE FACILITY FOR MARSHALL COUNTY ANIMAL SHELTER TO BE PAID FROM CAPITAL IMPROVEMENT FUND

A motion was made by Commissioner Baker, duly seconded by Commissioner Kelley, to award bid #55-19 to Complete Construction LLC., out of Albertville, AL in the amount of \$289,250.00. This will renovate facility on Abbott Road as the new Marshall County Animal Shelter to be paid from Capital Improvement Fund. Chairman Hutcheson called for a roll call vote, Commissioner Shumate, yea, Commissioner Watson, nay, Commissioner Kelley, yea, Commissioner Baker, yea. Motion passed with 3 yeas, and 1 nay.

DISTRICT 3 – APPROVE VACATION OF UNNAMED COUNTY ROAD (CR1004) BETWEEN SUMMERVILLE/ FOREST HOME ROADS

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve vacation of unnamed county road (CR1004) between Summerville/ Forest Home Roads as recommended by County Engineer.

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ENGINEERING – APPROVE PAYMENT OF INVOICE TO ALDOT FOR SPECIAL WORK AUTHORIZATION (SWA) BALANCE SHORTAGE OF \$999.54

A motion was made by Commissioner Watson, duly seconded by Commissioner Kelley, and all members voting affirmatively and so carried to approve payment of invoice to ALDOT for Special Work Authorization (SWA) balance shortage of \$999.54 to be paid out of Countywide.

MAINTENANCE – APPROVE LAWN MOWER PURCHASE; \$6,800 FROM GENERAL FUND FUND BALANCE

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve lawn mower purchase for \$6,800 from General Fund fund balance.

APPROVE RESOLUTION TO PROVIDE TIER I BENEFITS TO TIER II PLAN MEMBERS

A motion was made by Commissioner Shumate, duly seconded by Commissioner Kelley, all members voting affirmatively and so carried to approve resolution to provide Tier I benefits to Tier II plan members as read by County Attorney.

RESOLUTION TO PROVIDE TIER I BENEFITS TO TIER II PLAN MEMBERS

WHEREAS, under the provisions of Act 2019-132, employers who participate in the Employees' Retirement System pursuant to Ala. Code § 36-27-6 may elect to provide Tier I retirement benefits to Tier II plan members, and

WHEREAS, Marshall County Commission participates in the Employees' Retirement System pursuant to Ala. Code § 36-27-6 and wishes to improve retirement benefits for its Tier II plan members;

NOW, THEREFORE, BE IT RESOLVED BY [THE LOCAL GOVERNMENT], that Marshall County Commission elects to provide Tier I retirement benefits to its Tier II plan members, subject to approval by the Employees' Retirement System Board of Control; that, if approved, such election shall be effective the following fiscal year and is irrevocable.

BE IT FURTHER RESOLVED that Marshall County Commission has reviewed the actuarial cost estimates provided by the Employees' Retirement System for such election and agrees to pay any resulting increases in the employer contribution rate.

BE IT FURTHER RESOLVED that beginning in the month that such election is effective, Marshall County Commission's Tier II plan members shall contribute 7.5% of their earnable compensation to the Employees' Retirement System and [the local government]'s Tier II plan members who are firefighters or law enforcement officers, as defined by Ala. Code § 36-27-59(a), shall contribute 8.5% of their earnable compensation to the Employees' Retirement System, as required by Act 2019-132.

Signature of Authorizing Official: S/James Hutcheson

APPROVE PROCLAMATION RECOGNIZING APRIL AS FAIR HOUSING MONTH DUE TO RECEIVING CDBG GRANT FUNDS

A motion was made by Commissioner Kelley, duly seconded by Commissioner Watson, and all members voting affirmatively and so carried to approve proclamation recognizing April as Fair Housing Month due to receiving CDBG grant funds.

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FAIR HOUSING PROCLAMATION

WHEREAS, the month of April is recognized throughout these United States of America, as Fair Housing Month; and,

WHEREAS, Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the Fair Housing Amendments Act of 1988 set forth a national policy of fair housing, without regard to race, color, religion, national origin, sex, disability, or familial status; and

WHEREAS,, the Marshall County Commission continues to affirmatively further fair housing for its citizens;

NOW, THEREFORE, the Marshall County Commission does hereby proclaim April 2020, as FAIR HOUSING MONTH

PASSED APPROVED, AND ADOPTED THIS THE 27th DAY OF MAY 2020

S/James Hutcheson
JAMES HUTCHESON,
CHAIRMAN

REAPPRAISAL – APPROVE BUDGET AMENDMENT ROLLING OVER \$174,000 FROM FY 19 FOR VEHICLES, SERVER AND ACCUMULATION OF FUNDS FOR FUTURE PLANIMETRICS. REMAINING FY 19 FUNDS WILL BE REFUNDED TO THE VARIOUS FUNDS AND AGENCIES FROM WHICH IT WAS WITHHELD

A motion was made by Commissioner Kelley, duly seconded by Commissioner Shumate, and all members voting affirmatively and so carried to approve budget amendment rolling over \$174,000 from FY 19 for vehicles, server and accumulation of funds for future planimetrics. Remaining FY 19 funds will be refunded to the various funds and agencies from which it was withheld.

REAPPRAISAL – APPROVE BUDGET AMENDMENT TO RESOLVE NEGATIVE BALANCES

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve budget amendment to resolve negative balances. The negative balances were in overtime, drug testing, and workers compensation.

SHERIFF – APPROVE INCREASE IN OVERTIME BUDGET BY \$14,998.35 USING FUNDS RECEIVED FOR OVERTIME REIMBURSEMENT THROUGH VARIOUS PROGRAMS

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve increase in Overtime Budget by \$14,998.35 using funds received for Overtime Reimbursement through various programs.

SHERIFF – APPROVE REQUEST OF ADDITIONAL \$25,000 FROM GENERAL FUND FUND BALANCE FOR VEHICLE REPAIR/MAINTENANCE

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve request of additional \$25,000 from General Fund fund balance for vehicle repair/maintenance.

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SHERIFF – APPROVE 36-MONTH COPIER LEASE FROM STATE OF ALABAMA CONTRACT PRICING FOR WITH XMC,INC.; XEROX B7025, MONTHLY FIXED LEASE \$95.16 (BLACK/WHITE PRINTS @.0066)

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve 36-month copier lease from State of Alabama Contract pricing for with XMC,Inc.; Xerox B7025, Monthly fixed lease \$95.16 (black/white prints @.0066).

SHERIFF – APPROVE \$400 ONE TIME PAY ADJUSTMENT FOR HAZARD PAY RELATED TO COVID-19 RESPONSE TO ALL SHERIFF DEPARTMENT EMPLOYEES FROM GENERAL FUND FUND BALANCE WHICH HAS PRIOR APPROVAL FROM PERSONNEL BOARD. WILL REQUEST REIMBURSEMENT UNDER THE CARES ACT

A motion was made by Commissioner Watson, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve one time pay adjustment of \$400 for hazard pay related to COVID-19 response to all Sheriff Department employees from General Fund fund balance which has prior approval from Personnel Board. Will request reimbursement under the CARES Act. Chairman Hutcheson called for a roll call vote, Commissioner Shumate, yea, Commissioner Watson, yea, Commissioner Kelley, yea, Commissioner Baker, yea. Motion passed with 4 yeas, 0 nays.

JAIL – APPROVE CHANGE ORDER #2 TO JAIL RENOVATION WITH CORNERSTONE FOR REPAIRS IN CELL BLOCK B; \$1,750

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve order #2 to Jail renovation with Cornerstone for repairs in Cell Block B in the amount of \$1,750.

JAIL – APPROVE RATIFICATION OF INCREASE TO MOLD REMOVAL BID BY \$11,426.33 FOR A TOTAL OF \$159,426.33 TO BE PAID FROM CAPITAL IMPROVEMENT FUND

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve ratification of increase to mold removal bid by \$11,426.33 for a total of \$159,426.33 to be paid from Capital Improvement Fund.

JAIL – APPROVE RATIFICATION OF PURCHASE OF LIGHTS FROM COURTHOUSE/JAIL FUND \$14,128.00

A motion was made by Commissioner Kelley, duly seconded by Commissioner Shumate, and all members voting affirmatively and so carried to approve ratification of purchase of lights from Courthouse/Jail Fund for \$14,128.00.

JAIL – APPROVE RATIFICATION OF PURCHASE OF WATER HEATERS: \$23,716.68 FROM CAPITAL IMPROVEMENT FUND

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve ratification of purchase of water heaters for \$23,716.68 from Capital Improvement Fund.

PROBATE – APPROVE RATIFICATION OF PURCHASE OF SOFTWARE/SERVICE FOR ONLINE RECORDS ACCESS; \$9,000 FROM GENERAL FUND FUND BALANCE

A motion was made by Commissioner Kelley, duly seconded by Commissioner Watson, and all members voting affirmatively and so carried to approve ratification of purchase of software/service for online records access for \$9,000 from General Fund fund balance.

JUVENILE PROBATION – APPROVE CONTRACT WITH NORTH ALABAMA COUNSELING SERVICES

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve contract with North Alabama Counseling Services.

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APPROVE THE SELL, TRADE OR SCRAP OF FIXED ASSETS

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve the sell, trade or scrap of fixed assets.

SCRAP	6125	Refrigerator	Probate	Item is obsolete, broken or worn out
	12063	laptop	Sheriff	Item is obsolete, broken or worn out

There being no further business a motion was made by Commissioner Kelley, duly seconded by Commissioner Shumate and so carried to adjourn.

MEETING ADJOURNED

James Hutcheson, Chairman

Ronny Shumate, District 1 Commissioner

James R. Watson, District 2 Commissioner

David Kelley, District 3 Commissioner

Joey Baker, District 4 Commissioner