

The Geneva County Commission met in regular session on Monday, July 9, 2018 at 9:30 a.m. at the Geneva County Courthouse in Geneva, Alabama.

Commission Chairman Fred Hamic called the meeting to order and welcome guests and media present. Commissioner Hammer opened the meeting with prayer. Chairman Hamic led the group in the Pledge of Allegiance.

There were no citizens requesting to make public comment.

There were no elected officials requesting to make public comment.

Chairman Hamic called the roll and the following members were present: Commissioners Bryan Hatton, Todd Brannon, Toby Seay and Sandy Hammer. The County Attorney, Phil Eldridge; County Engineer, Justin Barfield; and Chief Administrative Officer, Marietta Webster were also present. The following business was transacted:

### MINUTES OF THE MEETING

#### NEW BUSINESS:

1. Approve Minutes of June 25, 2018. Commissioner Hatton made a motion to approve the minutes June 25, 2018. Commissioner Hammer seconded the motion. Vote was 4-0.
2. Proclamations: N/A
3. Bids: N/A

#### OLD BUSINESS:

1. Jail Construction: County Attorney stated that an email had been received from JMR-H Architect with the bid dates and places where advertised for the General Contractor Bid which will be opened on August 2, 2018.
2. Courthouse: Nothing new.
3. Board Appointments: N/A
4. Bids: N/A

Commissioner Hatton made a motion to allow Mrs. Reeves to speak. Commissioner Brannon seconded the motion. Vote was 4-0.

Mrs. Reeves had concerns that the Chancellor Community Center has not been worked on as requested for the approved work. Discussion continued with the commission stating that it will be handled. Maintenance has had other duties and the weather has not been good for painting block walls due to humidity and rain.

Scott Farmer with Southeast Regional was present and reported that he had been working on the Census report for Geneva County and will be turning in the report with the most accurate information available. Mr. Farmer reported that the project for Samson Water should be on tract with getting the project started.

**REPORTS OF STAFF:**

**Sheriff:** Sheriff stated that he has applications for three Correctional Officers and should be hiring this week.

Sheriff reported that inmates were working at cleaning the County yard and impound yard.

**County Administrator:** Mrs. Webster reported that the ACCA was preparing a time capsule to be sealed at the Convention in August. A copy of a 1968 Centennial Issue of the Reaper has history of the courthouses and jail which would make a good thing to use for the County and make current pictures as well to be able to see the progress when they open the capsule in ten years. Commissioner Seay stated that the Historical Society has a thumb drive of all the Reapers and that this issue may be include if we could get a copy on the thumb drive to include.

**County Engineer:** County Engineer passed out information on outstanding work orders and information on the amount of rainfall received for the past few months.

The department did hire an equipment operator II and still have two more positions open.

Motor grading will be moving forward.

County Road 49 project is starting this week which is our Federal Funds at work for the two-mile paving project.

Engineer noted that the Ramp Project through the State for the seven bridges that were completed through this project resulted in funds saved due to in house designs of the bridges which also resulted in money that was available to cover salaries of the engineering staff. Discussion followed concerning whether future funds might be made available from Federal and State for the county that would probably cost the county a ten or twenty percent share cost. Engineer noted that he has not heard of any concrete information about any funds.

**County Attorney:** Attorney Eldridge read Lowery Voting House deed which stated that if the land is not used by county for voting facility it would revert to the grantors.

County Attorney received a complaint to be filed by Beasley Law Firm, Montgomery, Alabama against Pharmaceutical Companies and Distributors concerning the opioid and

drug epidemic. Attorney did not know if the complaint had been filed in the courts but that this was the law firm that the county approved the lawsuit.

The agreement for the lease purchase of the six motor graders has been checked over and noted that the commission must do a resolution and give approval of same and for Chairman to sign the necessary paperwork. Attorney asked the County Engineer if these motor graders were on the State bid list and he responded that they were.

Commissioner Hammer made a motion to adopt the written resolution approving the Lease Purchase Agreement for six motor graders and authorizing Chairman to sign all documents. Commissioner Hatton seconded the motion. Vote was 4-0. (resolution attached)

County Attorney recommended that the commission go into Executive Session concerning potential litigation and general reputation and Character of an employee. All commissioners were polled to convene for Executive Session. 10.20 a. m.

Hammer	Yea
Brannon	Yea
Seay	Yea
Hatton	Yea

Commissioner Hammer made a motion to reconvene. Commissioner Hatton seconded the motion.

Commissioner Hammer made a motion to repeal resolution designating the Geneva County Personnel Board as the appointing authority for the Personnel Director and hereby designating the Geneva County Commission as appointing authority for Personnel Director pursuant to Alabama Local Laws section 45-31-120 (2). Commissioner Hatton seconded the motion. Vote was 4-0.

Commissioner Hatton made a motion not to appeal the decision of the June 29, 2018 of Personnel Board ruling on employee. Commissioner Hammer seconded the motion. Vote was 4-0.

**Chairman Hamic:** Nothing to report.

**EMA Director:** Not in attendance.

**Personnel Director:** Nothing to report.

**Revenue Commissioner:** Nothing to report.

**Solid Waste Director:** Nothing to report.

**E-911 Director:** Nothing to report.

Auburn Extension: Nothing to report.

Commissioner Hammer: Nothing to report.

Commissioner Brannon: Nothing to report.

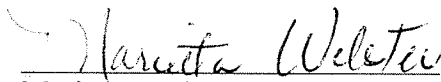
Commissioner Seay: Nothing to report.

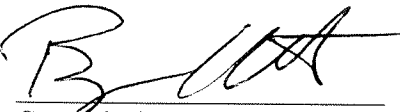
Commissioner Hatton: Nothing to report.

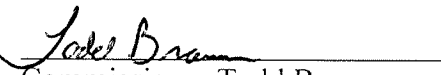
Commissioner Hatton made the motion to adjourn. Commissioner Hammer seconded the motion. Vote was 4-0.

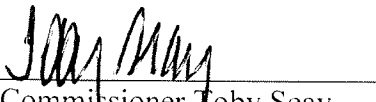
The above constitutes the minutes of the meeting of the Geneva County Commission held on Monday, July 9, 2018.

  
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Chairman, Fred Hamic

  
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Marietta Webster  
Chief Administrative Clerk

  
\_\_\_\_\_  
Commissioner Bryan Hatton

  
\_\_\_\_\_  
Commissioner Todd Brannon

  
\_\_\_\_\_  
Commissioner Toby Seay

  
\_\_\_\_\_  
Commissioner Hammer

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**GOVERNMENTAL ENTITY RESOLUTION TO LEASE, PURCHASE AND/OR FINANCE**

WHEREAS, the laws of the State of Alabama (the "State") authorize GENEVA COUNTY COMMISSION, AL (the "Governmental Entity"), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into any necessary contracts; and

the Governmental Entity wants to lease, purchase and/or finance equipment ("Equipment") from Caterpillar Financial Services Corporation and/or an authorized Caterpillar dealer ("Caterpillar") by entering into that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar; and

the form of the Agreement has been presented to the governing body of the Governmental Entity at this meeting.

**RESOLVED**, that: (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below). (ii) the Governmental Entity enter into the Agreement with Caterpillar and (iii) the Agreement is adopted as a binding obligation of the Governmental Entity; and

that changes may later be made to the Agreement if the changes are approved by the Governmental Entity's counsel or members of the governing body of the Governmental Entity signing the Agreement (the "Approved Changes") and that the signing of the Agreement and any related documents is conclusive evidence of the approval of the changes; and

that the persons listed below, who are the incumbent officers of the Governmental Entity (the "Authorized Persons"):

Name (Print or Type)	Title (Print or Type)
<u>Fred Hamic</u>	<u>Geneva County Commission Chairman</u>
_____	_____
_____	_____

be, and each is, authorized, directed and empowered, on behalf of the Governmental Entity, to (i) sign and deliver to Caterpillar, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions he/she deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

that the Secretary/Clerk of the Governmental Entity is authorized to attest to these resolutions and affix the seal of the Governmental Entity to the Agreement, these resolutions, and any related documents; and

that nothing in these resolutions, the Agreement or any other document imposes a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

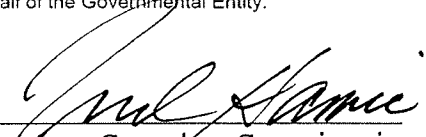
that a breach of these resolutions, the Agreement or any related document will not impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that the authority granted by these resolutions will apply equally and with the same effect to the successors in office of the Authorized Persons.

I, Fred Hamic, Chairman of GENEVA COUNTY COMMISSION, AL, certify that the resolutions above are a full, true and correct copy of resolutions of the governing body of the Governmental Entity. I also certify that the resolutions were duly and regularly passed and adopted at a meeting of the governing body of the Governmental Entity. I also certify that such meeting was duly and regularly called and held in all respects as required by law, at the Governmental Entity's office. I also certify that at such meeting, a majority of the governing body of the Governmental Entity was present and voted in favor of these resolutions.

I also certify that these resolutions are still in full force and effect and have not been amended or revoked.

IN WITNESS of these resolutions, the officer named below executes this document on behalf of the Governmental Entity.

Signature:   
 Title: Geneva County Commission Chairman  
 Date: July 9, 2018

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