

The Geneva County Commission met in regular session on Monday, September 10, 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 Hatton 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; Chief Administrative Officer, Marietta Webster and EMA Director, Misty Wise were also present. The following business was transacted:

MINUTES OF THE MEETING

NEW BUSINESS:

1. Approve Minutes of August 27, 2018. Commissioner Hatton made a motion to approve the minutes August 27, 2018. Commissioner Hammer seconded the motion. County Attorney had several corrections to be made as given. Vote was 4-0 with corrections.
2. Proclamations: Chairman read the proclamation for Hunger Action Month where the agencies in the area have provided food to the Wiregrass Area. Commissioner Seay made a motion to adopt the proclamation for September as Hunger Action Month. Commissioner Brannon seconded the motion. Vote was 4-0.
3. Bids: N/A

OLD BUSINESS:

1. Jail Construction: Commissioner Seay made a motion to move Jail Construction to the last of the Agenda. Commissioner Brannon seconded the motion. Vote was 4-0.

Mike Rutland, JMR+H Architect, updated the commission that the contractor selected will be arriving for the meeting shortly and that the meeting with the Public Building Authority will be at 1:00 P. M. Mr. Rutland stated that he has worked with the contractor concerning cost for certain areas to reduce the cost without changing any of specifications. The negotiations resulted in a savings of \$498,062. Mr. Rutland discussed all the alternates and which ones were of value to the project. Commission discussed and questioned Architect to understand the need for the alternates and accept the ones that are important. Attorney stated that if the commission was going to accept the alternates that it would need to be done today. Commissioner Seay made a motion to recommend to the Public

Building Authority to accept the bid with Bear Brothers and the alternates 1,3,4,5,6 and 7 at the negotiated price of \$8,881,161 as presented by Architect for Jail Construction without any changes to specifications. Commissioner Hatton seconded the motion. Vote was 4-0. County Attorney addressed the Architect as to make sure that no changes had been made to the specks of the bid and Mr. Rutland stated again that no changes were made to any of the specifications. Chairman asked the total project cost and it was stated at \$10,589,544. Bear Brothers, Incorporated, representative, Jon Hilyer spoke to the commission concerning Bear Brothers, Incorporated history and types of experience they have with detention projects. Mr. Rutland explained what he has discussed with the commission concerning the bid and stated that he felt that the contracts should be ready for pre-construction meeting and ground breaking by the next commission meeting. Contractor stated that he would like to start the project by October 1 with hopes of a dry month to do foundation work. Commissioner Hammer asked Mr. Rutland about his fees and if additional cost would be charged due to the construction cost and stated that if there was addition cost that it was not the commission's fault for any of the changes made in the bid process. Mr. Rutland stated that he would present information of the work that had been done during the change of bid packages which was some cost to the company. Commissioner Hammer asked again if there was addition charge and he wanted to know before deciding, but Mr. Rutland asked again that he needed to present information about the addition work that could be identified due to changes. Commissioner Hammer stated that he and Mike Hughes had changed the bid process from individuals to a contractor after the fact. Mr. Rutland stated that he did not make the decision in the matter of changing the bid process. Mr. Rutland stated that he would stay with his fee percent as stated in the contract for the total project. Attorney Eldridge and Commissioner Hammer had spoken with Mike Hughes concerning his contract and fee and asked him to report back. Commissioner Hammer stated that he had received the information but had not got back with Attorney. Discussion continued as to Commissioner Hammer, Commissioner Hatton and Attorney Eldridge stepping out to discuss contract with Mr. Hughes at which time they left the meeting. Mr. Rutland stated that they were going to manage the soil removal and CDG would be on site to help with more savings by monitoring the amount of soil that is removed. Commissioner Seay stated that for the record the commission did request that the bids be broken out and later changed their mind to go with a contractor because of the lack of sources with contractor license to participate in the bid process and it was not the Architect that made the decision. Mr. Rutland stated that they will be meeting with the City of Geneva Water Works after lunch.

2. Courthouse: Chairman stated that normal repairs are being done and the grass has been a constant for maintenance due to the weather.
3. Board Appointments: N/A
4. Bids: N/A

REPORTS OF STAFF:

Sheriff: Sheriff Helms stated that he picked up the new truck and has kept it for himself but has placed his Tahoe on the road.

Sheriff stated that the x-ray machine at the security desk in courthouse is distorting images and the repairs will cost approximately \$4500. Commissioner Hammer made a motion to allow the machine to be repaired. Commissioner Brannon seconded the motion. Vote was 4-0.

Sheriff Helms stated that the contract for medical with Southern Health Partner is due for renewal by 9/30/18. County Attorney stated that he had checked Attorney General opinions and codes concerning the matter. There is an exemption under the bid law for professional services. The question arose as to whether to bid or if it qualifies as a professional service, so it would not have to be bid. Attorney Eldridge stated that the AG suggest bidding to get a better price. The law states that the practice of professional nursing is to be performed by a Registered Nurse. This would suggest that an RN is a professional. Sheriff stated that he has been working with our local hospital to provide the services of a Register Nurse which should be qualified as professional. Other area counties have already contracted with their local hospitals to provide a nurse to the jail. Commission Hammer made a motion for the Commission and Sheriff to meet with CEO Brannon of Wiregrass Hospital to discuss the matter of contracting service. Commissioner Brannon seconded the motion. Vote was 4-0.

County Administrator: Mrs. Webster presented a resolution from ACCA on participation with the Workers Compensation Program through ACCA that if you sign the resolution to participate for the next three years that a bonus will be given at 15% of this years estimated premium contribution. Commissioner Hammer made a motion to sign the resolution for Workers Compensation participation for the next three years. Commissioner Hatton seconded the motion. Vote was 4-0.

Mrs. Webster informed the commission that the Local Government Insurance Fund has sent out information that there will be an increase of five percent which is divided up between the County and employees.

County Engineer: Engineer stated that he is hiring one new employee this week and has one more position open to be advertised.

Bush hogging has been completed. The tractors will have the bush hogs taken off and box blades added on to help with grading the roads.

Spraying should be continued currently to get it caught up.

Engineer stated that he is ready to do the budget and gave notice that due to the FEMA money and work completed that his funds will be running low. The RRR account will have to be used in assisting with funding of work.

All projects have been completed.

Bids have been sent out on fuel, pipe etc. for the year.

Commission Hatton made a motion to go back to the Jail Construction. Commissioner Hammer seconded the motion. Vote was 4-0.

County Attorney: Attorney Eldridge stated that discussion has taken place with Mr. Hughes, construction manager, with Commissioners Hammer and Hatton concerning his contract fee of the jail project which was 3.25 percent of cost. Mr. Hughes proposes to terminate his contract with the County for a payment of \$150,000 for his services over the last three years under the contract, for terminating a valid and legally binding contract and releasing the county, for work he had to forgo and his loss of profit. This will save the County approximately \$200,000 in fees. Attorney Eldridge was asked by the Chairman if he recommended this and Attorney stated that he did not recommend this and advised against doing this. Commissioner Hammer made a motion to allow County Attorney to draw up contract of payment of \$150,000 for reimbursement of prior services rendered by Mike Hughes and to terminate contract as stated above. Commissioner Brannon seconded the motion. Vote was 4-0.

Attorney Eldridge researched the Federal Wage and Hour Exempt Employee Rule that was requested by the Commission to clarify the exempt EMA Director position. The position wages meet the amount set at \$23,660 and falls under the administrative exemption which states that salaried exempt employees work until the job is done and are not subject to overtime pay. No comp time is accumulated by exempt county employees. The Administrator and Personnel Director also agreed with the information they had from the Federal Wage and Hour Rule for Exempt.

Attorney Eldridge stated that Mrs. Webster had received a letter from the Geneva County Soil and Water concerning the employee that the county has placed on their payroll with benefits and they are asking to waive the six months probationary period. Discussion continued that if she accumulates time for vacation and sick as other employees that the probationary time should also be the same. The commission agreed that the rule stands for all. A copy of the rule from personnel handbook will be sent to Soil and Water Conservation administration to clarify.

Chairman Hamic: Chairman noted that he had received the certification on the last election and they should be getting ballots for November in soon. Noted that the Chancellor Community Center has been worked on but outside has not been painted due to paint not being available and weather but should be completed when it dries out enough. One vanity was broken and is having to be taken back for replacement.

EMA Director: Updated the commission on the weather.

LEPC meeting will be changed to September 26 at 5:00 P. M. Café Med. Loaned the tornado machine to Coffee County emergency who replaced the humidifier that had been not working.

Personnel Director: Nothing to report.

Revenue Commissioner: Mary Ann Ellison spoke to the commission concerning providing service from her office during property tax time. Ms. Ellison would like to provide another point for the citizens to be able to pay their taxes and she would have her employee to work one day a week. With population being higher at the east end of the county Rob Hinson, Mayor of Slocumb, has offered them a space to work on Wednesday each week for the months of October and November to help in collection. The payments will have to be paid by check because of security for the employee handling the process. Commissioner Brannon made a motion to allow Revenue Commissioner to try the concept. Commissioner Seay seconded the motion. Vote was 3-0.

Commission set a budget meeting for Wednesday, September 19, 2018 at 8:00 a. m.

Solid Waste Director: Nothing to report.

E-911 Director: Nothing to report.

Auburn Extension: Nothing to report.

Commissioner Hatton: Nothing to report.

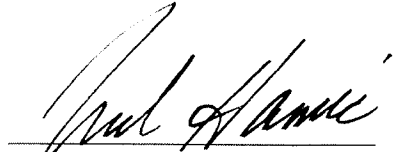
Commissioner Hammer: Commissioner Hammer made motion for County to provide framed photo of Probate Judge Hamic to be placed in the Courthouse at the end of his term. Commissioner Hatton seconded the motion. Vote was 4-0.

Commissioner Brannon: Nothing to report.

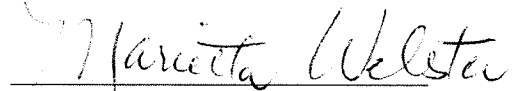
Commissioner Seay: Nothing to report.

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

The above constitutes the minutes of the meeting of the Geneva County Commission held on Monday, September 10, 2018.




Chairman, Fred Hamic



Marietta Webster
Chief Administrative Clerk



Commissioner Bryan Hatton



Commissioner Todd Brannon



Commissioner Toby Seay



Commissioner Hammer

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RESOLUTION

WHEREAS, Geneva County is a member of the Association of County Commissions of Alabama Workers' Compensation Self-Insurers Fund, Inc. ("the Fund") on Oct. 1, 2018; and

WHEREAS, the County's participation in the Fund has been a significant benefit to the County since becoming a member; and

WHEREAS, the representation and service provided by the Fund continues to be in the best interest of Geneva County and its officials and employees; and

WHEREAS, the Fund is providing a 2021 Longevity Bonus to those county participants who remain active members of the Fund through at least Sept. 30, 2021; and

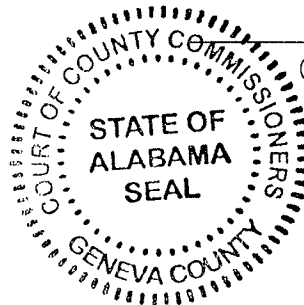
WHEREAS, Geneva County would benefit by voluntarily agreeing to extend its contracted annual participation in the Fund for a three-year period concluding on Sept. 30, 2021, at which time the provisions of the existing contract between Geneva County and the Fund will remain in force unless altered as provided therein.

NOW, THEREFORE, BE IT RESOLVED by the Geneva County Commission that it renews its participation in the Fund through Sept. 30, 2021, and hereby directs its Chair to immediately provide a copy of this resolution to the Fund.

AND, BE IT FURTHER RESOLVED, by the Geneva County Commission that, should it voluntarily withdraw from the Fund prior to Sept. 30, 2021 that it agrees to return the 2021 Longevity Bonus provided by the Fund, plus five (5) percent annual interest.

Adopted this the 10 day of September 2018.

Ted Hamme
County Commission Chairperson



Geneva County Proclamation “Hunger Action Month”

WHEREAS, the Wiregrass Area Food Bank was established in 1990 to help feed the hungry and prevent food waste in our area, and

WHEREAS, the Wiregrass Area Food Bank distributed 215,918 pounds of food last year through Geneva County’s 6 participating agencies resulting in agency savings of \$332,514 and provided 168,686 meals for Geneva County’s citizens, and

WHEREAS, the Wiregrass Area Food Bank serves 182 Geneva County senior citizens through the Brown Bag Program of the Wiregrass and

WHEREAS, during the past 28 years the Food Bank has distributed more than 68 million pounds of food that would have otherwise gone to waste, has helped provide more than 53 million meals, serves 112 agencies, and has provided support to the Wiregrass during times of natural disaster

NOW, THEREFORE, I, Fred Hamic, Geneva County Commission Chairman, do hereby proclaim September as

“HUNGER ACTION MONTH”

And urge the citizens of Geneva County to help fight hunger in our community by supporting the Wiregrass Area Food Bank.

IN WITNESS WHEREOF, I have hereby set my hand and caused the seal of Geneva County to be affixed this 10th day of September, 2018.



Fred Hamic