

The Geneva County Commission met in regular session on Tuesday, October 15, 2019 at 9:30 a.m. at the Geneva County Courthouse in Geneva, Alabama.

Commission Chairman Toby Seay called the meeting to order and welcome guests and media present. Commissioner Spivey opened the meeting with prayer. Chairman Seay 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 Seay called the roll and the following members were present: Commissioners Weston Spivey, Todd Brannon, Bart Wilks and Sandy Hammer. The County Attorney, Phil Eldridge; County Engineer, Justin Barfield; Chief Administrative Officer, Marietta Webster were also present. The following business was transacted:

MINUTES OF THE MEETING

NEW BUSINESS:

1. Approve Minutes of September 23, 2019. Commissioner Wilks made a motion to approve the minutes September 23, 2019. Commissioner Spivey seconded the motion. Vote was 4-0.
2. Proclamations: N/A
3. Bids: N/A
4. Commissioner Spivey made a motion to allow Kyle Hovey to speak for the Fire Fighters Association. Commissioner Hammer seconded the motion. Vote was 4-0. Mr. Hovey spoke on behalf of the Fire Fighters Association about repairs that are needed at the Eunola Community Building that is leased to the association. Mr. Hovey stated that the Association would like to have a longer lease on the building if they pay for the repairs that are needed. Commissioner Hammer made a motion to allow Attorney to amend and extend lease agreement to twenty years to Geneva County Fire Association and authorize the Chairman to sign the amendment. Commissioner Brannon seconded the motion. Vote was 4-0.

OLD BUSINESS:

1. Jail Construction: Chairman reported that jail construction is on schedule.
2. Board Appointments: N/A
3. Bids: N/A

REPORTS OF STAFF:

Sheriff: Sheriff Helms updated that his department has been working grants that are available to help with equipment that the department needs.

County Administrator: Nothing to report.

County Engineer: Engineer stated that he had hired one employee several weeks ago and will be interviewing this week to fill a couple more equipment operator positions.

Bush hogging has not been completed but should be within the next several weeks.

The C & D Landfill's new cell is being worked on this week so it will be ready for use. Engineer said that the landfill cell is beginning to fill up faster than expected and the new cell will not last as long as predicted at the rate debris is being brought in. He suggested that the landfill be opened only a couple days a week and that the operator work for Road and Bridge the balance of the week. This would help the matter some.

R C and D Council has granted \$3000 to the County which will be used on county road 5 for erosion problems.

Geneva County will receive \$670,000 for a turn lane to be placed at the intersection of Shiloh Road and Highway 52.

Geneva County was selected to be approved for the ATRIP-II Project in which only twenty-eight applicants were selected.

Geneva County received \$337,500 from FEMA for the debris clean-up due to hurricane Michael. The balance due will be from State for around \$112,000.

County Attorney: Attorney Eldridge reported that he had written the requested letter to the Personnel Board concerning their hiring of Attorney. The board is meeting today but he has not heard anything from them on the matter.

Chairman Seay: Southeast Regional Planning and Development has sent a letter stating that they could help the county with any redistricting issues if needed.

Chairman stated that the First Baptist Church of Geneva has agreed to allow County to use their recreation hall for voting. Precinct boxes #10-1, 10-3, 10-4, and 10-5 voters will be combined into one voting list and the voting places will be combined into one voting center, which will be moved to the First Baptist Church as set forth in the attached resolution and order. Commissioner Wilks made a motion to adopt the attached resolution and order. Commissioner Brannon seconded the motion. Vote was 4-0.

Voters in Precincts box 13-2 and 13-3 will be combined into one voting list and the voting places combined into one voting center as set forth in the attached resolution and

order. Commissioner Hammer made the motion to adopt the attached resolution and order. Commissioner Spivey seconded the motion. Vote was 4-0.

The validation on the speck building has been completed and hopefully after the first of the year ground breaking can take place.

Solid Waste Department's software company will no longer be handling their software which is making it necessary for them to purchase new software. Commissioner Wilks made a motion to approve Solid Waste to purchase software from Harris Local Government Software which can be customized to their needs. Commissioner Hammer seconded the motion. Vote was 4-0.

Chairman stated that all applicants for the EMA Director had been interviewed by the commission and he asked if they had made their decision in the matter. Commissioner Hammer made a motion to approve and hire Eric Johnson for the EMA Director. Commissioner Brannon seconded the motion. Vote was 3 with 1 abstention from Weston Spivey.

Margaret Mixon reported that the County was approved for a Hazardous Mitigation Grant for \$722,000 and it must be ready by November 15. The former director had sent in a request for storm shelters, but no information had been sent out to the public therefore not enough time or info to process. The State has stated that the County might be able to get the information together for community storm shelters that could be processed in time and cities would be able to participate also in the grant. Chairman stated that the county and cities should be able to decide within the next couple of day on the projects and be able to use these available funds and not lose them.

Commissioner Spivey: Nothing to report.

Commissioner Wilks: Nothing to report.

Commissioner Hammer: Nothing to report.

Commissioner Brannon: Commissioner Brannon stated that he would like to thank the engineer for working at getting the approvals for the intersection turn lanes at Shiloh Road and Highway 52.

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

OFFICE OF THE CLERK
COUNTY OF GENEVA
ALABAMA

ADDENDUM, AMENDMENT AND MODIFICATION TO LEASE AGREEMENT

STATE OF ALABAMA

GENEVA COUNTY

KNOW ALL MEN BY THESE PRESENTS: That this addendum, amendment and modification is made and entered into on this the 15th day of October, 2019, by and between Geneva County, Alabama, a body corporate, acting by and through Toby L. Seay, Chairman of the Geneva County Commission in and for Geneva County, Alabama, being duly authorized by resolution of the Geneva County Commission (Lessor) and Geneva County Volunteer Firefighters, Association Inc., a non-profit corporation, (Lessee), and is incorporated into and shall be deemed to supplement, amend and modify and add to the Lease Agreement entered into between the parties, on the October 23, 2017.

Lessor and Lessee agree to change, amend and modify said Lease Agreement by striking SECTION TWO and inserting in lieu thereof SECTION TWO as follows:

SECTION TWO

TERM

The term of this lease is for a period of twenty-three (23) years beginning on April 10, 2017, and terminating, if not by the provisions as hereinafter set forth, on April 9, 2040, at 12:00 midnight.

The parties hereby agree the purpose of this addendum, amendment and modification is to change, amend and modify SECTION TWO of the Lease Agreement.

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In all other respects, Lessor and Lessee ratify, confirm and agree to all of the terms of said Lease Agreement, dated the 23rd day of October, 2017.

IN WITNESS WHEREOF, Lessor have hereunto caused these presents to be executed by Toby L. Seay, as its Chairman of the Geneva County Commission, thereunto duly authorized, this 15TH day of October, 2019, and Lessee has caused these presents to be executed by Kyle Hovey, as its President, thereunto duly authorized, this 15TH day of October, 2019.

LESSOR:

GENEVA COUNTY, ALABAMA
A Body Corporate,

BY: *Toby L. Seay* (SEAL)
TOBY L. SEAY
Geneva County Commission Chairman

ATTEST:

Marietta Webster
MARIETTA WEBSTER
Its Administrator

LESSEE:

GENEVA COUNTY VOLUNTEER FIREFIGHTERS,
ASSOCIATION INC.,
A Non-Profit Corporation,

BY: *Kyle Hovey* (SEAL)
KYLE HOVEY
Its President

ATTEST:

Mary Ann Ellison
notary Public
Expire - 2-5-2020

FILED FOR RECORD

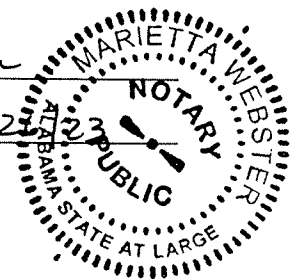
THE STATE OF ALABAMA

GENEVA COUNTY

I the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Toby L. Seay, whose name as Geneva County Commission Chairman in and for Geneva County, Alabama, a body corporate, name is signed to the foregoing Addendum, Amendment and Modification to Lease Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the Addendum, Amendment and Modification to Lease Agreement, he, as such Chairman in and for Geneva County, Alabama, and with full authority, as evidenced by resolution of the Court of County Commissioners in and for Geneva County, Alabama, executed the same voluntarily for and as the act of Geneva County, Alabama, a body corporate, on the day the same bears date.

Given under my hand and official seal this the 15 day of October, 2019.

Marietta Webster
Notary Public
My Commission Expires 8/25/23



THE STATE OF ALABAMA

GENEVA COUNTY

I the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Kyle Hovey, whose name as President of Geneva County Volunteer Firefighters, Association Inc., a non-profit corporation, who name is signed to the foregoing Addendum, Amendment and Modification to Lease Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the Addendum, Amendment and Modification to Lease Agreement, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said non-profit corporation, on the day the same bears date.

Given under my hand and official seal this the 15th day of October, 2019.

Mary Ann Ellison
Notary Public
My Commission Expires 2-5-2020

STATE OF ALABAMA

GENEVA COUNTY

RESOLUTION AND ORDER

WHEREAS, the Geneva County Commission desire to save money on polling expenses by reducing the number of poll workers in Precinct 13, Box Numbers 2 and 3 by combining all voters in said Precinct 13, Box Numbers 2 and 3 into one alphabetized voting list and by combining the voting places in said Precinct into one voting center.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, pursuant to §17-6-4, Code of Alabama 1975, as amended, and local law §45-31-110.02, Code of Alabama 1975, as amended, by the Geneva County Commission, Geneva County, Alabama, that all voters in Precinct 13, Box Numbers 2 and 3 be and they are hereby combined into one alphabetized voting list and the voting places be and they are hereby combined into one voting center at the same location at Samson Senior Citizen Center, 33 East Sellers Street, Samson, Alabama 36477. All voters in Precinct 13, Box Numbers 2 and 3 shall continue to vote in all future elections at the same location that they are voting at now at Samson Senior Citizen Center, 33 East Sellers Street, Samson, Alabama 36477. That a copy of this Resolution and Order shall be filed with the Geneva County Probate Judge and the Geneva County Board of Registrars and posted on the bulletin board at the Geneva County Courthouse, and the Geneva County Probate Judge shall give notice of same as required by law.

Commissioner Hammer moved that the foregoing resolution be adopted and spread upon the minutes of this meeting, which motion was seconded by Commissioner Spivey, and upon the motion being put to vote, the following vote was recorded:

YEAS:

NAYS:

Commissioners:

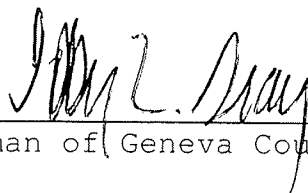
Weston Spivey
Todd Brannon
Bart Wilks
Sandy Hammer

The chairman thereupon announced that the motion for adoption has been unanimously carried.

STATE OF ALABAMA

GENEVA COUNTY

I, Toby L. Seay, Chairman of the Geneva County Commission, hereby certify that the above is a true, correct and exact copy of a Resolution duly and legally adopted by the Geneva County Commission, at a meeting on the 15th day of October, 2019.



Chairman of Geneva County Commission