

AGENDA
GENEVA COUNTY COMMISSION
January 27, 2020

9:30 a.m. Welcome-Commission Chairman Toby Seay
Prayer-Commissioner Wilks
Pledge of Allegiance-Commission Chairman Toby Seay

Public Comment from Citizens on Agenda or approved to speak by unanimous vote of the Commission.

Public Comment from Elected Officials

Roll Call-Call to Order

New Business:

1. Approve Minutes of January 13, 2020
2. Proclamation:
3. Bids:

Old Business:

1. Jail Construction:
2. Board Appointments:
3. Bids:
4. Discussion and vote on Retirement Conversion
5. Discussion and vote on service fee request from Sheriff

Reports from Staff:

Sheriff
Chief Administrative Officer
County Engineer
County Attorney
Commission Chairman
Revenue Commissioner
EMA Director
Solid Waste Director
E-911 Director
Auburn Extension

Commissioner Hammer
Commissioner Brannon
Commissioner Spivey
Commissioner Wilks

Adjourn

RECORDED IN OFFICE OF TOLBY L. SEAY, PROBATE JUDGE, GENEVA COUNTY, ALABAMA
BK 1054 PG 74
02/21/2020 10:19:05 AM

The Geneva County Commission met in regular session on Monday, January 27, 2020 at 9:30 a.m. at the Geneva County Courthouse in Geneva, Alabama.

Commission Chairman Toby Seay called the meeting to order and welcomed guests present. Commissioner Wilks opened the meeting with prayer. Commissioner Brannon led the group in the Pledge of Allegiance.

There were no elected officials or citizens requesting to make public comment.

Commission Chairman Seay called the roll and the following members were present: Commissioners Todd Brannon, Sandy Hammer, Weston Spivey, and Bart Wilks. The County Attorney, Phil Eldridge; Assistant County Engineer, Mike Shirah; EMA Director, Eric Johnson, Revenue Commissioner Mary Ann Ellison, Sheriff Tony Helms, and Assistant County Administrator Cindy Williams were also present. The following business was transacted:

MINUTES OF THE MEETING

NEW BUSINESS:

1. Approve Minutes of January 13, 2020. Commissioner Hammer made a motion to approve the minutes of January 13, 2020. Commissioner Spivey seconded the motion. Vote was 4-0.
2. Proclamations: N/A
3. Bids: N/A

OLD BUSINESS:

1. Jail Construction: Commission Chairman Seay stated that at the meeting at the Jail Construction site on January 22nd, they saw progress however due to delays with the metal for the roof the new date for the jail to be turned over had been pushed back until May 2020. Once the metal for the roof is received and installed the finish work on the inside of the building should move at a more rapid pace.
2. Commission Chairman Seay also stated that Judge Filmore had stated he had funds he could give to help renovate the courtroom. Mr. Mike Rutland with JMR+H will be at the next commission meeting on February with some improvement options.
3. Board Appointments: N/A
4. Bids: N/A
5. Retirement option Tier II to Tier I: Continued discussion regarding allowing employees to opt in to Tier I from Tier II. Legislation has been passed that would allow the county to opt into the Tier I benefit. Employees hired since January 1, 2013 have been in Tier II retirement plan which is at a lower rate and does not offer as good of a retirement plan as Tier I. The total unfunded actuarial accrued

liability to the county at this time would be \$77,000.00. The cost will be spread out over fifteen years as an increase in the yearly contribution rate. The Commission had previously elected to opt into the shared cost with the employees. This would not require a lump sum payment but would be an increase in the retirement contribution factor of approximately .67%. If elected before October 1, 2020 these figures would be good and would go into effect FY2021. Any election after October 1, 2020 the rates would increase due to payrolls and would not be effective until FY2022. Commissioner Wilks made a motion that the county allow employees to opt in to Tier I from Tier II in the retirement plan. Commissioner Spivey seconded the motion. Vote was 4-0.

REPORTS OF STAFF:

Sheriff: Sheriff Helms updated on information he gained at the recent Sheriff's conference. He stated he had spoken with many different Sheriff's regarding the Service Fee and none of them had to have a constitutional amendment to enact the fee. They had all passed it with a local act. County Attorney Phil Eldridge and Commission Chairman Seay both stated they had been on a call with the Legislation Reference Service and had been instructed that if both in county and out of county were wanted it would be required to have a constitutional amendment. By resolution from the County, asking that a local law to be passed, he could get the out of county Service Fee for the Sheriff's office which is a fee charged to serve court papers. Sheriff Helms stated he would like to have that if nothing else. Commissioner Hammer made a motion that a resolution be adopted, our representative introduced law that would allow the Sheriff's department to charge a \$50.00 service fee for out of county service of court documents. Commissioner Brannon seconded the motion. Vote was 4-0. To charge an in county fee it must be on the ballot in November. Current charge for in county is \$25.00.

Sheriff stated that currently the Sheriff's department receives \$7.00 per ticket on all tickets written. Currently surrounding cities are receiving \$35.00. The Sheriff would like to see the county price raised to match at least what the cities are receiving.

Sheriff Helms stated he has \$47,043.00 that has been received from the insurance company on three vehicles that were totaled in the Sheriff's department that he would like to put toward the purchase of a new vehicle. Commissioner Wilks made a motion to allow the Sheriff to purchase a new vehicle using the proceeds from the Insurance Company for the three totaled vehicles. Commissioner Spivey seconded the motion. Vote was 4-0.

Sheriff has received the applications for the new jail positions and will start interviews in the next week. He stated he will need to hire the employees at least one month prior to the new jail opening.

Sheriff continued previous discussion by Commission Chairman regarding the jail construction and stated the reason for the delay in the roof was a subcontractor problem which has been addressed.

GED classes have started back in the jail.

County Attorned Eldridge asked the Sheriff if he had forwarded a letter to County Risk Services regarding a lawsuit. The Sheriff stated the letter had been forwarded.

County Administrator: Assistant County Administrator Cindy Williams requested permission from the Commission to have online access to all bank accounts. Currently she can view only the Payroll account. This would not be to conduct business online but only to view the accounts to make certain if deposits had been received and if checks had cleared. Commissioner Wilks made a motion that the Commission office have access to view accounts online. Commissioner Spivey seconded the motion. Vote was 4-0.

County Engineer: Assistant Engineer Mike Shirah was present in the absence of Mr. Barfield who was attending a conference.

The C & D Landfill cell #10 has been completed and inspected and approved. Cities and towns were not included in the recent increase in landfill dumping fees. The Engineering department was unaware that the cities were not paying the same as businesses. They discovered this when Assistant Administrator Cindy Williams called to ask if the city rate would increase as well as the business rate and was told the city rate was currently \$16.00 versus the business rate of \$21.00. After discussion by the Commissioners, Commissioner Spivey made a motion to increase the city dumping fee at the landfill to the new business rate of \$26.00 per ton. Commissioner Wilks seconded the motion. Vote was 4-0.

There had been discussion at the previous commission meeting to ask companies about supplying a CRS tank if the county agreed to a contract. They have checked with Hunt Refining who stated they cannot do this.

The county was awarded a \$250,000 grant for road work on N. County Road 49 in District 1. The city of Black also received a \$250,000 grant for repair to their roadways. Commissioner had requested information from the department regarding driveway pipe installation. Currently installation of a driveway pipe can tie up a road crew for one to two days and the citizen only pays for the pipe. The dirt and labor are at no charge to the citizen. Other counties do charge for this service. Discussion continued on this matter but will be table until a later date.

The county should have received the first installment from the Rebuild Alabama fund for October – December 2019. However, Mr. Barfield and Mr. Shirah had learned from Assistant Administrator Cindy Williams that the account had been closed and she had to reopen it to allow the State to deposit the funds. The deposit should be around \$115,000.00.

County Attorney: Attorney Eldridge stated that the contracts received from Alabama Power for the LED lighting conversion would require a resolution approving Commission Chairman Seay signing the contracts. Commissioner Wilks made a motion to approve Commission Chairman Seay signing of the Alabama Power contracts for converting the outside lighting to LED. Commissioner Hammer seconded the motion. Vote was 4-0.

The project at the Industrial Park will have to be under the Public Works Act due to the amount of money. All the Commissioners were given a written resolution concerning land use of the remaining land at the Industrial Park which the Commissioners need to approve if they agree with it. Commissioner Brannon made a motion to adopt this resolution concerning the land use at the Industrial Park. Commissioner Hammer seconded the motion. Vote was 4-0.

Commissioner Spivey stated he had heard some concerns regarding Solid Waste employees arriving early for work sometimes around 3:30 a.m. and leaving for their routes before daylight. The concerns were for safety and would insurance cover any accidents should they occur. Starting times for the Solid Waste department should be discussed with the new Solid Waste Director.

Chairman Seay: Several months ago, a contract had been approved for the Solid Waste Department for a new software program with Harris Local Government. The current software program is with Syscon who was no longer going to be able to service the program. Syscon has now agreed to continue servicing the program. No money has been paid to Harris Local Government for the new software program and Harris Local Government failed to meet the contractual agreements. A letter has been received from Harris Local Government to release Geneva County from the contract. Commissioner Hammer made a motion to sign the contract release from Harris Local Government. Commissioner Brannon seconded the motion. Vote was 4-0. Commissioner Hammer made a motion to sign a software extension agreement with Syscon for the Solid Waste Department. Commissioner Brannon seconded the motion. Vote was 4-0. The construction plans for the spec building at the Industrial Park are complete. The third week of February should be when Wiregrass Electric formally approves the loan. The loan process for the county which will total of 25% of the spec building will take place with Friend Bank. Once completed the bank will present before the Commission. The salary study being conducted by Jacksonville State University is still in progress. They are awaiting information from a few more counties. Coffee County was one of the counties and Chairman Seay has spoken with them requesting they get the data submitted.

Revenue Commissioner: Noting to report.

EMA Director: Eric Johnson stated there was discussion of statewide notification center and safe shelters. Currently the county does not have a shelter, but several cities do have shelters. He is in contact with the cities on what shelter options are available so citizens will have proper information should a shelter be required. Mr. Johnson will be attending a class in Prattville on Jan 29-30th on Disaster Relief 101. The siren in Fadette was struck by lightning and the repair bill was \$998.00. Mr. Johnson urged all to be diligent in the upcoming census because it would be a big deal regarding future grant funding.

E-911: Mr. Jeremy Williams stated that he now has capability for reporting, and he would be presenting information at the February 24th Commission meeting regarding stats from 911. They are currently two employees short and have taken applications but only received six and out of those only four took the test and only one passed. Based on recent address applications the east end of the county is growing far more rapidly than the rest of the county.

Auburn Extension: There was a Farmers Market meeting on January 16, 2020. Commissioner Brannon's wife Kelly will serve as the market community director.

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Geneva County's market will mimic the Farmer's market in Abbeville. They will be working with the census to assist in getting citizens to complete the paperwork. Lori Wilcox will be the lead person for the Geneva, Henry, Houston County and Dothan City area. There will be a hemp meeting February 20, 2020 in Headland and a pesticide testing meeting February 27, 2020 at the extension office.

Commissioner Brannon: . Discussed that interviews for the Solid Waste Director had been conducted on January 13th and 14th. Commissioner Brannon made a motion that Mrs. Dawn Smith be hired as the new Solid Waste Director. Commissioner Wilks seconded the motion. Vote was 4-0.


Commissioner Hammer: Nothing to report.

Commissioner Spivey: Nothing to report.


Commissioner Wilks: Nothing to report.

Commissioner Hammer made the motion to adjourn. Commissioner Wilks seconded the motion. Vote was 3-0.

The above constitutes the minutes of the meeting of the Geneva County Commission held on Monday, January 27, 2020.



Chairman, Toby Seay



Marietta Webster
Chief Administrative Clerk



Commissioner Weston Spivey



Commissioner Todd Brannon



Commissioner Bart Wilks



Commissioner Hammer

STATE OF ALABAMA

GENEVA COUNTY

RESOLUTION

WHEREAS, the Geneva County Commission desired to generate revenue for improvements to and maintenance of the Geneva County Industrial Park and to improve the appearance of the remaining properties of Geneva County, Alabama, at said Industrial Park;

WHEREAS, Section 3 of Article IV of the Covenants, Conditions, and Restrictions of the Geneva County Industrial Park, recorded in Official Record Book 478 at page 425, records of the Probate Office, Geneva County, Alabama, provides that the Declarant, The Geneva County Commission, reserves the right to specify other land uses which will be permitted within the properties at said Industrial Park;

WHEREAS, the Geneva County Commission to accomplish this desired goal previously specified farming as a land use on the remaining properties of Geneva County, Alabama, at said Industrial Park pending sale or lease of said properties for industrial purposes, and has been leasing said remaining properties on a short term basis for farming with a provision in the Lease that provides for a termination of the Lease if said remaining properties is needed for industrial purposes; and

WHEREAS, the Geneva County Commission desires to reduce this specification of farming as a temporary land use at the Geneva County Industrial Park to a written resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Geneva County Commission, pursuant to Section 3 of Article IV of the Covenants, Conditions, and Restrictions of the Geneva County Industrial Park, that farming be and hereby is specified as a temporary land use on the remaining properties of Geneva County, Alabama, at the Geneva County Industrial Park pending the sale or lease of said properties for industrial purposes.

Commissioner Brannon moved that the foregoing resolution be adopted and spread upon the minutes of this meeting, which motion was seconded by Commissioner Hammer, 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 27th day of January, 2020.



Chairman of Geneva County Commission

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