

The Geneva County Commission met in regular session on Monday, February 10, 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 Brannon opened the meeting with prayer. Chairman Seay 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; County Engineer, Justin Barfield; Sheriff Tony Helms, EMA Director, Eric Johnson, Revenue Commissioner Mary Ann Ellison, 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 27, 2020. Commissioner Wilks made a motion to approve the minutes of January 27, 2020. Commissioner Hammer seconded the motion. Chairman Seay had a correction to his section however, it had already been done prior to the meeting. Vote was 4-0.
2. Proclamations: N/A
3. Bids: N/A
4. The City of Geneva has requested the Board of Registrars' office assist them with their voter list. Commissioner Wilks made a motion to allow the Board of Registrars office to assist the City of Geneva with their voter list. Commissioner Brannon seconded the motion. Vote was 4-0.
5. Local Bills – Received four local bills back from State Representative for County Work Release; Update of the Geneva County Personnel System; Badge and gun recipient for employee with at least ten years of service; Sale of abandoned or stolen and unclaimed property. Still awaiting the local bill for the out of state service for the Sheriff's office which is currently being drafted. Advertised a mental health bill last year but it was not submitted due to a lack of time however, there is now a statewide mental health bill so the County will not be introducing that bill. Three of the four local bills have already been approved. The bill for the Personnel System changes has not been approved. The Representative would like a resolution from the Geneva County Commission supporting the four local bills submitted. Commissioner Brannon made a motion to adopt a resolution to submit the four local bills to the State Representative. Commissioner Spivey seconded the motion. Vote was 4-0. These local bills will begin advertising in the local paper this Wednesday, February 12, 2020.

6. Reid with Stifel – interest rates are down which is good news. Hayward the bond attorney for the county has been working with the bond documents, however one hold up is not having current financial audits. After speaking with the Department of Examiners they have been told the audit for Geneva County is in the review stage which means hopefully it will be received sooner rather than later. Until the audit is received it cannot be sent out to the bond market. In the meantime, they are speaking with private placement buyers which will sometimes fund it, but they require the unaudited financial for publication. He has received the 2018 and is awaiting the 2019 from Mrs. Cindy Williams.  
The State Law allows you to pledge half of the gas tax which will be received under the Rebuild Alabama Act. If you take that amount of money with a ten-year financing commitment at today's interest rates you could get around \$3.4 million dollars. The issue is when you are doing that, only pledging half the gas tax and not a general obligation from the County, the buyers are usually going to ask for some other coverage ratio. So, for example, if you have a debt coming due of \$100, they would want to see that you have \$125 to cover it. A cushion in case of emergency or recession and gas tax revenues do not come in at projections. The amount of money received will depend on where you set the coverage ratio. Stifel will negotiate with the private placement firms to try and get the coverage as low as possible to get the most money for the County.  
Another option outside of pledging the Rebuild Alabama tax would be to pledge one of the other gas taxes with that. The other gas tax funds would not be needed to pay the debt, but it would allow the coverage to be higher.  
A resolution has been received from Hayward Hosch authorizing the preliminary action for the gas tax bond, the pledging of the Rebuild Alabama gas tax, and includes the hiring of the bond company and the hiring of Mr. Hosch's law firm. Commissioner Hammer made a motion to adopt the resolution from Hayward authorizing the preliminary action for the gas tax bond. A copy of said resolution is attached hereto. Commissioner Brannon seconded the motion. Vote was 4-0.
7. Mr. Mike Rutland with JMH+R along with Ms. Joy Kaplin had been asked by Chairman Seay to provide options for remodeling the main courtroom. Judge Filmore had approached Chairman Seay stating he had funds available to him that he could use toward a remodel of the courtroom.

**OLD BUSINESS:**

1. Jail Construction: Mr. Mike Rutland, Mr. Jeff Cahill and Ms. Joy Kaplin with JMH+R were present to give an update on the jail and present options for the Sally Port at the Courthouse. The Commission needs to approve interior colors, furniture and fixtures for the jail and a concept design for the Sally Port. Mr. Cahill presented two options for the Sally Port. Originally the Sally Port was to be located on the Maple Avenue side of the Courthouse allowing for a fenced in area but there were some concerns with parking and other issues and that original cost factor was \$191,549.00 which was only for adding the Sally Port and no other renovations or demolition services. Option A which would be located on the jail side of the Courthouse would require an appendage to the building with a

rollup door which would allow a van to be pulled into the area, some holding areas. Option A has the best cost factor and no parking spaces would be forfeited. The base bid is \$172,000 and \$106,000 for additional parking and \$78,000 for demolition, removal and renovation on parts of the old jail. If this area is going to be used as a records storage area it will require additional lighting and heating and air conditioning which is not in the cost. Option B located on the Maple Avenue side would allow for two vehicles and the base bid on this option is \$271,253.00. Commission Chairman Seay stated the Commission would need time to review and discuss these options as there is time to make decisions since this project cannot be completed until the jail is complete. At that time the decision could be made by way of a change order. Mr. Rutland advised deciding sooner rather than later due to the bid law. Also, these are cost estimates and when a decision is made, they can get with the General Contractor and solidify the numbers. Mr. Eldridge stated he had a concerns regarding the use of the change order and use of the Sales and Use Tax for the storage part stating the Sales Tax is for Jail Construction and maintenance. Mr. Eldridge gave Mr. Mike Rutland a copy of what Attorney General' opinions requires for change orders. Mr. Rutland stated you could do the change order and separate out the two, one for the storage and the other for jail security.

Pricing from two companies have been obtained for furniture and fixtures for the new jail. This furniture would be office furniture. All detention furniture and dining furniture has already been approved as part of the jail project. The two companies are Alabama Correctional Industries and AI Corporate Interiors. With Alabama Correctional Industries you are subject to delivery on their timetable and furniture may be of poor quality. The bid from Alabama Correctional Industries is \$22,412.00 and the bid from AI Corporate Interiors is \$26069.25. Both companies are on state bid.

Two options were presented for interior colors. Commissioner Spivey made a motion to approve the neutral palette for the interior colors for the jail.

Commissioner Wilks seconded the motion. Vote was 4-0.

JMH+R has put pressure on the contractor to get updates on scheduled date of completion since the date has been pushed back due to issues with sub-contractors. At present the recovery date will be sometime in May. The contractor will need to attend an upcoming Commission meeting to give an update and a date of completion and a recovery schedule. The original date of completion was February 2020. Mr. Rutland suggested the contractor attend the next meeting scheduled for February 24, 2020. The site superintendent, Mr. Glen is going to have hip replacement which will cause the project to have a replacement superintendent. Commissioner Hammer stated the Commission had to have an update that there was not a clear cause of delays, other than the roofing issues and asked how much LD's are going to be accessed until they are caught up on the project. Mr. Rutland explained they have not had clear communication from the contractor on delays other than the roofing issues and rain delays. The work on the project is excellent work it is just the delays that are creating problems. Commissioner Hammer will get an email to Mr. Rutland addressing the issues with the contractor.

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2. Commission Chairman Seay stated that at the last Commission meeting he had stated Judge Filmore had advised him he had discretionary funds he could put toward renovating the courtroom. Mr. Mike Rutland with JMR+H is presenting some options for renovating the main courtroom. Total cost for the project which includes the renovations to the main courtroom, judge's office, and jury rooms is estimated to be \$130,000. This includes painting the walls, adding crown molding and chair railing, a fabric acoustical panel, replacing blinds with roller shades, a luxury tile in the gallery and carpet in the main litigation area and refinishing the bench seating, jury box, judge's box and partition wall. Chairman Seay thanked Mr. Rutland and stated he would speak with Judge Filmore and get a definite amount he is willing to contribute to the project and see where the Commission would like to proceed from there.

**REPORTS OF STAFF:**

**Sheriff:** Sheriff Helms updated that he had begun interviewing for the new positions in the jail. At present was about half-way through the process. He does anticipate some of the current jail staff moving into the new positions which would require advertising for new Corrections Officers. A new truck has been ordered from Stivers in Montgomery and should be ready for pick-up in about one week.

**County Administrator:** Nothing to report

**County Engineer:** Engineer Justin Barfield stated that two guardrail projects mentioned in the past have been modified and awarded to Highway Specialty out of Florida for \$94,197. This project is a 80/20 match. Pre- construction meeting with ALDOT regarding the project on North County Road 49 and if there is a break in the weather with temperatures in the 70's or higher, work on the project could begin in the next thirty days. Received the approval letter from ADEM today for cell #10 at the C&D Landfill. There are probably two to three weeks left on the current cell before beginning to dump in cell #10.

First deposit has been received for the Rebuild Alabama gas tax for October through December 2019 in the amount of \$120,000.

Expecting to begin the 4-way stop project on South County Road 49 by the end of February. It will have stop signs and a flashing light.

It is time to sale the four large dump trucks. Have auction proposals for the sale of four 2019 Kenworth Dump Trucks. JM Wood proposal would give a realized return per truck of \$1,460.00 and Deanco would give a realized return per truck of \$3,620.00.

Commissioner Brannon made a motion to sale the trucks to Deanco Auction.

Commissioner Wilks seconded the motion. Vote was 4-0. New trucks should be delivered by the end of the month so the department should not have any down time due to no available trucks.

Department is doing the best it can with patching but due to the rainy conditions it has been difficult. Small dump truck is down and in shop for repair. Currently just putting out cold patch.

The weather last week did not cause any major damages. Received ten call outs for downed trees but all roads are passable.

Advertising is being sent out for bids for asphalt, surface treatment and stripping. Bids will close March 6, 2020. Bids will be opened at the March 9, 2020 Commission meeting and award on March 23, 2020.

Attorney Eldridge stated a resolution was needed from the Commission approving the advertisement of the bids. Commissioner Wilks made a motion to approve advertising for bids for asphalt, surface treatment and stripping. Commissioner Hammer seconded the motion. Vote was 4-0.

**County Attorney:** The cities are interested in renting the voting machines for their municipal elections. The County has not done this in the past. An agreement will be needed if the County would like to do this which would include the cost of renting the machines. The County owns the handicap machine and leases the regular machines on a three-year lease but we have them year round. Chairman Seay recommended \$300 - \$350.00 per election. The municipality would be responsible for getting the machines and getting them set up. They could you ESS or other contract labor which the municipality would also be responsible for. Commissioner Spivey made a motion for Attorney Eldridge to draft an agreement which would allow the municipalities to rent the voting machines from the County for \$300 per election. Commissioner Wilks seconded the motion. Vote was 4-0

The County has received six claims from the auto accident involving Deputy Andrew Williams. Assistant Administrator Cindy Williams has already forwarded the claims to County Risk Services. Sheriff Helms stated the accident was investigated by Alabama State Troopers. We will await information from the County Risk Services.

**Chairman Seay:** Update on the spec building at the Industrial Park. The engineering design portion is complete and the financial documents are being prepared. Hopefully by the end of the month we can start the advertising process.

**Revenue Commissioner:** Will be sending out court notices by certified mail Friday, February 14, 2020. There are still 518 unpaid.

**EMA Director:** Eric Johnson stated resolution he had discussed previously he would like to put on hold until he gets more information. The weather event last week was minimal to our area. Communication between all area Emergency Services, School Board, and Road and Bridge department was great for this event. Was notified by ChocPea Yellow River Watershed that we had reached Action Stage status in our area since the water has risen to 18' 9". The flood stage is 23'. We are now below the action stage since the river gauge is falling.

**E-911:** Mr. Jeremy Williams stated that the County is experiencing a growth spurt mainly on the east end of the County. Of the new addresses issued in 2019 43% were in District 1, 20% in District 2, 19% in District 3 and 18% in District 4. Mr. Williams and EMA Director Eric Johnson had spoken with Wiregrass Electric regarding the exercise with the State and it will be held on April 14, 2020.

OFFERED 10:05 2020

**Auburn Extension:** Not present.

**Commissioner Brannon:** Nothing to report.

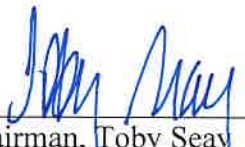
**Commissioner Hammer:** Nothing to report.

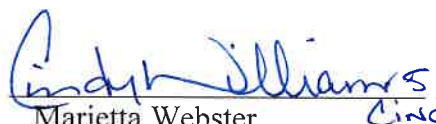
**Commissioner Spivey:** Would like for the County to look at the expense for installing driveway pipes. Currently the County only charges the citizen for the pipe and not installation. The Road & Bridge department installed eighty-eight driveway pipes last year and generally each one takes one crew, one day to install. Commissioner Spivey feels this is costing the county money which should be shared with the citizen.

**Commissioner Wilks:** Nothing to report.

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

The above constitutes the minutes of the meeting of the Geneva County Commission held on Monday, February 10, 2020.

  
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Chairman, Toby Seay

  
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Marietta Webster *Cindy Williams*  
Chief Administrative Clerk *Asst. Administrator*

  
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Commissioner Weston Spivey

  
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Commissioner Todd Brannon

  
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