

The Geneva County Commission met in regular session on Monday, February 24, 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 Hammer 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 February 10, 2020. Commissioner Hammer made a motion to approve the minutes of February 10, 2020. Commissioner Spivey seconded the motion. Vote was 4-0.
2. Proclamations: N/A
3. Bids: N/A
4. Board Appointments: A letter has been received from SEARP&D regarding the appointment of Mr. Randall Meeks on the load administration board. His appointment ends this month. This is a three-year appointment. Commissioner Hammer made a motion to reappoint Mr. Meeks to the SEARP&D loan administration board. Commissioner Wilks seconded the motion. Vote was 4-0. SARCOA is reducing their board members down from thirty-five, which is five members per county to twenty-one, which is three members per county. Of the three members one must be an elected official. Mr. Seay currently serves on the board but will step down to allow others interested in serving on the board to serve. Mrs. Donna Buchanan and Mrs. Francis Hatcher have both been on the board since 2002 and have expressed an interest in remaining on the board. Commissioner Spivey made a motion that Mrs. Donna Buchanan and Mrs. Francis Hatcher remain on the SARCOA board and the third member will be decided by the next Commission meeting. Commissioner Hammer seconded the motion. Vote was 4-0.
5. Mr. Robert Michaels along with several other volunteers was present to continue discussion from the December 9, 2019 Commission meeting when Mr. Cardwell was present to discuss a food bank in Geneva County. Mr. Michaels is a local pastor and has accepted responsibility for heading up the Food Bank project in

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Geneva County. They currently have nine churches committed to being involved with the project. Mr. Michaels is present to request use of the Geneva County Farm Center as the distribution center for the Geneva County Food Bank. Mr. Michaels stated that through his research the USDA has a food allotment for all counties and Geneva County is not receiving their allotment. Commissioner Hammer asked what the allotment was for Geneva County, but Mr. Michaels did not have that information available. Commissioner Wilks inquired about the application process to receive food and Mr. Michaels said it is a short process and all should apply, if a family qualifies for Food Stamps they would qualify for this program. But citizens not on Food Stamps should also apply. Mr. Cardwell with the Coffee County Food Bank was also present and stated that he will assist in getting the Geneva County Food Bank started. They stated that the Sheriff's office would be needed to assist with traffic. County Attorney Phil Eldridge stated that County Risk Services, the insurance carrier for the County, has required a release form in the past from individuals operating on County property and he felt that would be necessary for all volunteers. Commissioner Wilks made a motion to allow the Geneva County Food Bank operation to use the Geneva County Farm Center on the second Tuesday of each month once it is established. Commissioner Hammer seconded the motion. Vote was 4-0.

6. Lori Wilcoxon the 2020 U. S. Census coordinator for Geneva, Henry and Houston County's was present. The census is extremely important to our area. If residents do not complete the census, we can lose Congressional Seats and \$1,600.00 in Federal Funds per person per year for the next ten years. She has been contracted to educate the public about the Census and recruit trusted volunteers. Beginning March 12, 2020 individuals will be able to go online and complete the Census and paper copies will also be distributed by mail. Federal programs affected by the Census are Medicaid, Medicare, WIC, Head Start, Healthy Lunches and others. Most residents in Geneva County would be affected by any of these programs so we need to make certain we educate citizens about the Census, so the Federal Funds for Geneva County are at the max. In the 2010 Census, Geneva County was only at 73% participation. Educate the citizens that the Census is not about the government trying to get more taxes, it is not racially motivated, it is not trying to gather information on illegals for deportation, it is only about counting the number of people in the area. The local libraries will be participating offering citizens access to computers, the Geneva County Extension office is participating offering an iPad to assist citizens in completing the Census form. If someone knows of an area or community that needs additional assistance, she will set up an area so that they can assist citizens in completing the Census form. The goal is 90% completion this year. Members of the LEAD Wiregrass organization have adopted the Census as a community project this year and Kelly Dillard, Jessica Simmons and Gloria Marks are going to be assisting Ms. Wilcoxon with the Census.

**OLD BUSINESS:**

1. Jail Construction: Mr. Mike Rutland and Mr. Buddy Eubank with JMR+H and Mr. Jon Hilyer with Bear Brothers were present to give an update on the Jail Construction. Mr. Hilyer began the discussion addressing the delays that have been experienced in the project, mainly the wet winter. Significant time has been lost due to weather with 126 days since January 10, 2019 and 91 of those days have had rainfall of over 1/10". That equates to one-third of the project time to date being affected by rain. Delays have also been experienced due to bad dirt. The area required dirt be removed down 8' in order to have the proper base for a good footing for the construction. In late summer 2019, the sub-contractor that was to supply and install the sub roof or ceiling of the jail that the actual roof is fabricated upon, really delayed the project. This company cost sixty days in delays on the project. They were to arrive in mid-July 2019 and should have had their work completed in three weeks. They showed up the first week of August 2019 and worked a couple of days and left the project. This is a nationwide company and the office that handles this is out of Atlanta. Mr. Hilyer contacted them to discuss the issues. He was told they were sorry, he was aware they had left the project and said they had fifty-five active projects going on now, most of which were behind due to weather and when the erector came to our site and saw it was not a straight forward project but one that would require extra diligence they pulled off our project and went to projects that could get knocked out quick and easy. It took a lot to get the contractor back on the job, but they are back now and should have the roof installed in a few weeks. With a jail, most of the equipment is in the attic and since the roof has not been installed it has delayed this equipment being installed. All this equipment cannot be installed until the roof is installed and the building is dried out. Also, all inside finishes cannot be completed until the roof is installed and the building is dried out. Currently, barring any unforeseen circumstances the estimated completion date is the end of May 2020. Commissioner Hammer pointed out that the project was scheduled for completion at 450 days and asked where the County stood, regarding, charging LD's. Commissioner Hammer is requesting Mr. Hilyer go back to the sub-contractors and put them on notice that the County is not satisfied with the delays and is considering their option in assessing LD's. Mr. Hilyer pointed out that LD's would have to be incurred against Bear Brothers and they would be passed on to the subcontractor responsible for the delay. Mr. Hilyer also noted that there had been an extension on the project through February 12, 2020 plus the 91 weather days so the legal contract time has not been reached where LD's could be assessed. That time would be in May before the legal contract time is reached. Commissioner Hammer asked Mr. Hilyer to speak with Core Slab to make certain they are aware they have impacted the project sixty days and the County wants to know what resolution will be reached in terms of dollars. Mr. Hilyer stated Core Slab has not been paid for the project to ensure they complete their portion of the project satisfactorily. This has cost the County money and we need to know how the money will be recouped. Commissioner Hammer also tasked Mr. Hilyer with doing an analysis on how many rain days there were in the sixty days Core Slab should have been working to see if any of those sixty days were impacted due to

weather. Mr. Rutland suggested that County Attorney Eldridge draft a letter requesting this information. Attorney Eldridge told Mr. Rutland he would need to know the total number of weather days that the project was impacted from its beginning to date before he can write the letter and his letter would be directed to Bear Brothers. Mr. Hilyer said he would get that information to the Attorney. All components are on site and ready for installation as soon as the roof is completed, and the building can be dried out.

2. Mr. Mike Rutland with JMR+H asked if the Commissioner had decided on a furniture package for the jail. Commissioner Hammer made a motion that the furniture package for the jail be purchased from AI Corporate Interiors in the amount of \$26,069.25. Commissioner Wilks seconded the motion. Vote was 4-0. Mr. Rutland added that AI Corporate Interiors was a fair market group and all there pricing was off the state contracting pricing list and was a state bid. The Sally Port cannot be started until the jail is complete or near completion, but Mr. Rutland asked had the Commission reached a decision on the location of the Sally Port because they could begin discussions with Bear Brothers. Mr. Rutland pointed out that the south side of the courthouse is the most economical of the two options. Attorney Eldridge inquired about all the costs of the Sally Port and parking due to the use of the Jail Construction Fund being able to pay for the construction. Mr. Eldridge wanted Mr. Rutland to confirm that the Sally Port and the parking arear associated with that were extensions to the secured area of the new jail. Mr. Rutland said absolutely they were for the security of the jail and all expenses were related to the jail construction. Commissioner Hammer made a motion to table the discussion on the Sally Port and the Courtroom renovations until a later date. Commissioner Spivey seconded the motion. Vote was 4-0.

#### **REPORTS OF STAFF:**

**Sheriff:** Nothing to report.

**County Administrator:** Nothing to report

**County Engineer:** Engineer Justin Barfield wanted to reiterate the importance of the Census. That is how Road & Bridge received the gas tax. He also said he would mimic Mr. Hilyer regarding delays with the rain. The rain has not helped the dirt roads and prohibits work on patching. Decent weather is needed to do both. Last week they met with ALDOT on the County Road 69 ATRIPII Project and it is pushing forward. Most material needed for the 4 way stop project on County Road 49 has been received and work will begin on that as soon as all material is received. Have had the pre-construction meeting for the paving project on County Road 49N, however better weather is needed to proceed with the project. Continuous good weather with temperatures in the 70's is needed. Deanco Auction came and picked up the dump trucks. The new trucks are not in yet and they will be making contact today to get the delivery date. Annual bid for asphalt, surface treatment and stripping are currently being advertised. Bids will be received through the third Wednesday of March and will be awarded at the March 23, 2020 Commission meeting. Through a local program with the Rebuild Alabama project

they have requested \$250,000 for projects. Currently there is legislation that will hopefully be passed regarding advertisements for bids. Hopefully in the future we will be able to advertise on the Rebuild Alabama website for contracts. At the last Commission meeting discussion had been raised regarding the Road & Bridge department installing driveway pipes. Currently the county does not charge for installing the pipe only for the cost of the pipe. All counties that touch us in Alabama do the same as we do currently. Mr. Barfield reached out to Chambers County Alabama and they do charge for the service. Mr. Barfield stated it could be a benefit to charge for the service however last year the department only installed eighty-eight pipes. He stated you could allow the citizens to install their driveway pipes but this would still involve the county since most homeowners would not care what it does to the roads whereas the county surveys the site to make certain the pipe is installed at the correctly to insure it does not create damage to the road. Commissioner Spivey would like to see at least a nominal fee of at least \$25 - \$50.00 be charged for the service. Chairman Seay pointed out that the county is providing a taxpayer service by installing the pipes and would be incurring expense if they are installing a pipe or clearing out ditches. It is not fair to the citizens to price them out of having a service. Commissioner Wilks is not in favor at this time of charging citizens for this service. Commissioner Brannon made a motion to table this discussion until a later date. Commissioner Wilks seconded the motion. Vote was 4-0.

**County Attorney:** Met with the Personnel Board on February 18, 2020 because they were in the process of trying to hire a Personnel Director. Advised them on the new Personnel System that would be more modern. The Personnel Board agreed that with this knowledge hiring a new Personnel Director at this time would not be the right thing to do. The bond attorney on the spec building has sent a resolution and an order which issues the obligation warrants for the Friend Bank loan in the amount of \$250,000.00 at 3.25% interest for five years, and, for the loan through Wiregrass Electric for \$750,000.00 at 0% interest. Closing date on the loan with Friend Bank is this Thursday, February 27, 2020. A motion to adopt the resolution and order is needed. Commissioner Brannon made a motion to adopt the resolution and order on the loans for Friend Bank and Wiregrass Electric. Commissioner Wilks seconded the motion. Vote was 4-0. A copy of the resolution and order is attached to the minutes. Chairman Seay gave an update that the loan with Friend Bank was scheduled to close this Thursday and Power South has a meeting on March 11, 2020 when the loan with Wiregrass Electric should be approved. Once that is complete the County can begin advertising for the project. Mr. Eldridge has a lease agreement prepared for the cities to lease the voting machines for their municipal elections. The Cities will be charged \$300.00 per election. Commissioner Hammer made a motion to approve the lease agreement for the cities to lease the voting machines. Commissioner Wilks seconded the motion. Vote was 4-0

**Chairman Seay:** This is the third week advertising on the local bills. Next week will be the final week and once the approved publication notice is received it will be forwarded to the local Representative to be pushed through the legislation. March 3, 2020 is the Primary Election. All precinct voting houses have been inspected and cleaned.

**Revenue Commissioner:** Nothing to report.

**EMA Director:** Eric Johnson stated a resolution for Hazard Mitigation was needed. He had spoken with Scott Farmer with SEARP&D. A \$1,500.00 match which is our cost share with the ten counties in our district. This is to update the Hazard Mitigation plan. Commissioner Brannon made a motion to sign the resolution for Hazard Mitigation. Commissioner Wilks seconded the motion. Vote was 4-0.

**E-911:** Mr. Jeremy Williams had a report for 2019 for all the calls for public safety. Per the report the times between 2:00 pm and 10:00 pm are their busiest times. For 911 calls there were a total of 15,438. There were 661,000 calls on their admin system. The Sheriff's office has more calls for the Malvern Fire District than anywhere else in the county. Keep in mind the City of Geneva will have calls that involve the courthouse.

**Auburn Extension:** They will be holding Census training on March 27th.

**Commissioner Brannon:** Nothing to report.

**Commissioner Hammer:** Nothing to report.

**Commissioner Spivey:** Nothing to report.

**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 24, 2020.

  
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Chairman, Toby Seay

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

  
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Commissioner Weston Spivey

  
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Commissioner Todd Brannon

  
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Commissioner Bart Wilks

  
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Commissioner Hammer