

Recorded in REFERRED BK 1060 PG 247, 04/16/2020 02:50:32 PM
TOBY L. SEAY, PROBATE JUDGE, GENEVA COUNTY, ALABAMA

The Geneva County Commission met in regular session on Monday, March 23, 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. Chairman Seay led the group in the Pledge of Allegiance.

There were no elected officials requesting to make public comment.

There were no 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; Assistant Engineer, Mike Shirah; Sheriff Tony Helms, EMA Director, Eric Johnson, Revenue Commissioner Mary Ann Ellison, Solid Waste Director Dawn Smith; County Administrator Marietta Webster and Assistant County Administrator Cindy Williams were also present. The following business was transacted:

MINUTES OF THE MEETING

NEW BUSINESS:

1. Approve Minutes of March 9, 2020. Commissioner Hammer made a motion to approve the minutes of February 24, 2020. Commissioner Wilks seconded the motion. Vote was 4-0.
2. Proclamations: N/A
3. Bids: Bids had been taken for Hot Asphalt Plant Mix, Traffic Stripe, Traffic Control Markings & Pavement Markers and Bituminous Surface Treatments for Road & Bridge projects and opened on March 18, 2020.
4. There was only one bid received for Bituminous Surface Treatments from S & C Materials. Commissioner Wilks made a motion to accept and award the bid for Bituminous Surface Treatments to S & C Materials. Commissioner Hammer seconded the motion. Vote was 4-0.

There was only one bid received for Traffic Stripe, Traffic Control Markings & Pavement Markers from Ozark Striping Company. Commissioner Hammer made a motion to accept and award the bid for Traffic Stripe, Traffic Control Markings & Pavement Markers to S & C Materials. Commissioner Spivey seconded the motion. Vote was 4-0.

There were two bids received for Hot Asphalt Plant Mix, the low bid was Wiregrass Construction Company. Commissioner Spivey made a motion to accept and award the bid for Hot Asphalt Plant Mix to Wiregrass Construction Company. Commissioner Brannon seconded the motion. Vote was 4-0.

5. Board Appointments: N/A

OLD BUSINESS:

1. Spec Building: Commission Chairman Seay let everyone know that Power South had their board meeting and the loan for the spec building had been approved. The next board meeting will be March 22, 2020 and the final approval will be made at that time.

REPORTS OF STAFF:

Sheriff: Distributed information from the National Sheriff's Association on how his department and the jail are handling the Corona virus. All people wanting to make entrance in the jail are screened and their temperature is taken before they are allowed entrance. If anyone has a temperature of 100.4 or higher, they are not allowed in the jail. People are attempting to turn themselves in to the deputies admitting they have warrants and they have a high temperature and need to seek medical treatment. They want to go to jail so they will be given medical attention. His department needs essential equipment in the future of a new fingerprint machine. Currently using an old system that takes three days to two weeks to receive information back. ALEA is going to require the new technology. Dataworks is currently the only company with this product and it will cost \$14,000.00. The yearly maintenance contract will be an additional \$2800.00. After discussion Commissioner Brannon made a motion to allow the Sheriff to seek out companies for the new fingerprint technology and receive bids. Commissioner Hammer seconded the motion. Vote was 4-0.

Attorney Phil Eldridge let the Sheriff and Commission know that he had received notice that a lawsuit that had been filed against the Sheriff from Maurice Cox had been dismissed with no pay out to the plaintiff.

County Administrator: Mrs. Webster stated the only thing she had was regarding the management discussion portion in the notes of the financials. The Commission will need to decide on whether she can discontinue doing this for the audit.

County Engineer: Engineer Justin Barfield only received one application for the Equipment Operator II position. He has asked Mrs. Williams to advertise for the position again.

The resurfacing project on North County Road 49 started last Wednesday and the resurfacing is complete. Waiting on shoulder work and stripping. Kenworth has six trucks left over and his department currently has two old trucks he would like to get rid of. He is seeking permission to add these two trucks to his previous request for purchase of four new trucks bringing the total new trucks to six. Attorney Eldridge stated the Commission could amend the previous resolution at the March 9, 2020 meeting to include two additional new trucks which would change the total financing from \$580,992.00 to \$873,888.00. Commissioner Spivey made a motion to

DEFERRED 1050 249

amend the previous motion which allowed Road & Bridge to purchase new trucks to add two additional trucks bringing the new financing total to \$873,888.00. Commissioner Hammer seconded the motion. Vote was 4-0.

The old dump trucks were picked up by Deanco Auction house and are in Mississippi, however with the outbreak of COVID-19 and issues from the federal government on regulating the number of people gathering together they might not be able to host a public auction. Auction company has asked to renegotiate the net guarantee to the County from their February 4, 2020 proposal. Commission wanted the Engineer to see if Deanco would be in favor of holding the trucks until the summer auction and pay the extra cost of interest for the loan. Engineer was to report back to Chairman Seay once he contacted Deanco. Commissioner Hammer made a motion. Commissioner Brannon seconded the motion. Vote was 4-0.

Mr. Barfield has listed the garbage truck on GovDeals for the Solid Waste Department. In past years the Commission has approved a free day at the landfill on the Friday and Saturday prior to the Geneva River Festival. This year the festival is scheduled to be held April 24 – April 26. That would make the free day this year be April 17 – 18. Commissioner Wilks made a motion to allow free day to be held at the Geneva County Landfill on April 17 and April 18, 2020. Commissioner Spivey seconded the motion. Vote was 4-0.

Continuing to borrow CRS-2 liquid from Dale County when needed. This does take a lot of time since it takes two hours or more at times to go Dale County and pick up the liquid and come back to Geneva County to work on projects and return any remaining liquid to Dale County. The cost to replace the tank is in the \$60,000.00 range to purchase the tank, site prep and columns to set the tank. Could it be possible to fund the tank from the 111 Gasoline fund or is it possible it could be purchased through the 116 fund. Discussion continued and it was decided to table this for now until we know further financing options.

ATRIPII project on State Road 52 and County Road 69 requires a resolution and agreement to cover the financing of the preliminary engineering, right of way, and construction costs for the project. This project is the addition of left turn lanes on State Road 52 and the improvement of the turning radii onto County Road 69 at State Road 52. Commissioner Brannon made a motion to adopt the resolution and agreement from ALDOT for the ATRIPII project at State Road 52 and County Road 69. Commissioner Wilks seconded the motion. Vote was 4-0. Commissioner Wilks made a motion to allow Chairman Seay to sign the resolution and agreement with ALDOT for the ATRIPII project at State Rod 52 and County Road 69. Commissioner Brannon seconded the motion. Vote was 4-0. County Engineer requested that the Commission allow County Attorney to seek an Attorney General's opinion on what the access of the 1% Sales and Use Tax could be used for in the Road & Bridge Department. The County Attorney stated the law states that it can be used of Road & Bridge projects. Commissioner Brannon made a motion to adopt the resolution attached hereto to allow the County Attorney to request such Attorney General's opinion. Commissioner Wilks seconded the motion. Vote was 4-0.

County Attorney: Attorney Eldridge stated the Solid Waste Director had requested he write a letter to a citizen regarding his not enrolling in the County garbage pick-up. He

has stated that he has a dumpster and does not intend to enroll and pay for a service he is not going to use. We had a similar issue back several months ago with another citizen on the east end of the county. Commissioner Spivey made a motion to allow Attorney Eldridge to write a letter to the citizen regarding his mandatory enrollment in the county garbage collection. Commissioner Wilks seconded the motion. Vote was 4-0. He has received from the bond attorney the financing agreement with Sterling Bank for the State Gasoline Tax Anticipation Warrant. This agreement will be from March 31, 2020 through October 1, 2030. The total is \$3,065,051.00 at an interest rate of 1.89%, with semi-annual payments with both semi-annual payments together ranging from approximately \$196,000.00 to \$325,000.00 on April 1 and October 1. The resolution and order are required authorizing the issuance of the Gasoline Tax Warrant and approval of the financing agreement and other documents allowing Chairman Seay to sign the resolution and financing agreement. Commissioner Hammer made a motion to adopt the resolution and order authorizing the issuance of the Gasoline Tax Warrant and approval of the financing agreement with Sterling Bank. Commissioner Wilks seconded the motion. Vote was 4-0. Commissioner Hammer made a motion to allow Chairman Seay to sign the resolution and financing agreement and other necessary documents. Commissioner Wilks seconded the motion. Vote was 4-0. Said resolution and order is attached hereto.

Chairman Seay: Asking the Commission to waive the \$5.00 mail in fee currently required for tags until April 30, 2020 due to the Corona Virus pandemic. Commissioner Wilks made a motion to adopt the resolution waiving the \$5.00 mail in fee for tags through April 30, 2020. Commissioner Hammer seconded the motion. County Attorney said that Morgan Arrington, Attorney for the ACCA, said it was her opinion the commission could do this under the Emergency Management Act. Vote was 4-0. Said resolution is attached hereto.

The Alabama Department of Revenue has waived late fees on license renewals for March until April 16, 2020 due to the Corona Virus pandemic. Has received a renewal for the advantage sites at the Industrial Park. Chairman Seay is requesting authorization to write a letter of support to the Economic Development Partnership of Alabama for our Industrial Development. Commissioner Hammer made a motion to allow Chairman Seay to write a letter of support to the Economic Development Partnership of Alabama. Commissioner Brannon seconded the motion. Vote was 4-0.

Chairman Seay had passed around a notice regarding support in joining the Federal and State government in declaring an emergency due to the COVID 19 Coronavirus epidemic. He is requesting the Courthouse be closed to the public beginning today through April 5, 2020. A list of procedures for each department was distributed. The county will continue to operate and conduct business however the Courthouse would be closed to the public. Attorney Eldridge stated the Commission would need to declare a local State of Emergency pursuant to the Emergency Management Act. Commissioner Spivey made a motion declaring a local state of Emergency and to adopt a resolution to allow the Courthouse to be closed to the public but continue operating beginning today through April 5, 2020. Commissioner Brannon seconded the motion. Vote was 4-0. Emergency hearings required by law will continue if needed but all entrance into the Courthouse will be suspended.

Revenue Commissioner: Nothing to report.

EMA Director: Eric Johnson stated Coronavirus is now more of a topic than before. He has been working with the Sheriff's department and all EMS personnel throughout the county on procedures for the epidemic. He has also had several meetings with Mr. Brannon from Wiregrass Medical Center. He stated the best source of information for citizens was the CDC website. There are currently no cases in Geneva County, however there is a confirmed case in Houston County and some of the neighboring Florida Counties.

E-911: Mr. Jeremy Williams his office is currently closed to the public. They are screening calls for anyone suspecting they may have Coronavirus or may have been exposed to the virus.

Auburn Extension: Not present.

Solid Waste: Nothing to report.

Commissioner Brannon: Nothing to report.

Commissioner Hammer: Nothing to report.

Commissioner Spivey: Nothing to report.

Commissioner Wilks: Nothing to report.

Commissioner Hammer made a motion to recess for the walk through of the Courtroom and Jail. 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, March 23, 2020.

STATE OF ALABAMA
COUNTY OF GENEVA

REGULAR SESSION
March 23, 2020



Chairman, Toby Seay



Marietta Webster
Chief Administrative Clerk

Cindy Williams
Assistant
Administrative



Commissioner Weston Spivey



Commissioner Todd Brannon



Commissioner Bart Wilks



Commissioner Hammer

OFFREC 1060 252