

The Geneva County Commission met in regular session on Monday, April 13, 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 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; Sheriff Tony Helms; EMA Director, Eric Johnson; Revenue Commissioner Mary Ann Ellison, 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 23, 2020 and March 30, 2020. Commissioner Hammer made a motion to approve the minutes of March 23, 2020. Commissioner Spivey seconded the motion. Vote was 4-0. Commissioner Wilks made a motion to approve the minutes of March 30, 2020. Commissioner Hammer seconded the motion. Vote was 4-0.
2. Proclamations: A proclamation was read from the Child Advocacy Center to recognize April 2020 as Child Abuse Prevention month. Commissioner Brannon made a motion to accept the proclamation recognizing April as Child Abuse Prevention month. Commissioner Wilks seconded the motion. Vote was 4-0.
3. Bids: Bids were taken for the Energy Efficient Retrofit at the Farm Center. All bids submitted were forwarded to ADECA and reviewed. Bids were received from Mayer Electric at \$22,500.00, Thorne Electric Company, Inc. at \$25,300.00, Robert McDuffie at \$17,900.00 and Curtis Stout Inc. at \$23,196.69. Commissioner Spivey questioned whether Mr. McDuffie had the proper licensing credentials to be considered for the project. It was stated that all bidders had the proper licenses, credentials and Workers Compensation insurance. After discussion Commissioner Hammer made a motion to accept the bid from Robert McDuffie at \$17,900.00. Commissioner Brannon seconded the motion. Vote was 4-0.
4. Attorney Phil Eldridge presented a request for a resolution from Revenue Commissioner Mary Ann Ellison regarding the annual Property Tax Sale.

sale be able to be held in several designated areas of the Courthouse if necessary. The sale could take place on the front Courthouse steps, in the Commission Meeting Room, the District Courtroom or the Circuit Courtroom. Commissioner Spivey made a motion to adopt the resolution to allow the Revenue Commissioner to hold the Property Tax Sale on the front Courthouse steps, in the Commission meeting room the District Courtroom or the Circuit Courtroom. Commissioner Brannon seconded the motion. Vote was 4-0. Said resolution is attached hereto.

5. Board Appointments: N/A

**OLD BUSINESS:**

1. Spec Building: Commission Chairman Seay stated that the bid packages for the Spec Building will be ready at the end of this week so at the end of the meeting today they would need to have a motion to recess instead of adjourn and continue this meeting Monday April 20, 2020 to review the bids for the Spec building.
2. Regarding the Covid-19 pandemic Alabama Public Health has extended the stay home order through April 30, 2020. Commissioner Hammer made a motion to keep the Courthouse closed to the public through April 30, 2020. Commissioner Wilks seconded the motion. Vote was 4-0.
3. Jail Construction change orders #1-10 totaling around \$55,000 were presented to the Commission. Some had been previously approved, however there was an error on one of the change orders and a correction has been made. A vote will be needed to recommend approval of the change orders with the correction to the Geneva County Public Building Authority. Commissioner Hammer brought up that he does not feel the Commission should recommend approval of change order #10 until there is a resolution to the issue of the jail not being completed on time and no one being held accountable. The issue of the sub-contractor walking off the job and causing a delay of sixty plus days is unacceptable. It is one thing for the Coronavirus pandemic to cause delays, but this all took place far before the virus outbreak. Attorney Eldridge stated he understood Commissioner Hammer's frustration however given the rain delays, which were supported by the architect, they were still within the time frame and taking them to court would be questionable. Attorney Eldridge stated the only change order that affects was #10. The Commission could request the JMR+H send notice to the Contractor regarding this matter. The Commission is requesting that Attorney Eldridge contact JMR+H to meet with them about request they send notice to the Contractor of the issues with the Sub-Contractor that walked off the job and caused a sixty-day delay in the Jail Construction project. Commissioner Hammer made a motion to recommend approval the PBA of Jail change orders #1-9 but to table change order #10 until the request from JMR+H has been sent to the Contractor and resolution has been made. Commissioner Brannon seconded the motion. Vote was 4-0.

**REPORTS OF STAFF:**

**Sheriff:** The Sheriff has sent out letters to obtain quotes for a new fingerprint machine and live cam technology for the new jail. He requested to start hiring one at a time the new positions that were approved for the new jail. Interviews have already been completed and selections narrowed down. Would like to hire the Assistant Jail Administrator and the Transportation Officer first. Some internal employees will fill some the of the new positions and their current positions will require hiring new employees. Attorney Eldridge asked the Sheriff to discuss his issues with purchases. The Sheriff stated that due to the Coronavirus pandemic he is having to make purchases for some things from his discretionary account since companies are not accepting Purchase Orders. If they are accepting Purchase Orders, they are requiring some or all the payment for initial purchase upfront and will bill from that point forward. The Sheriff stated he has had a difficult time getting PPE for the jail and deputies. He has ordered fifty face masks from a company in Defuniak Springs that are washable and guaranteed for one year. Commissioner Hammer suggested ordering an additional fifty masks to make certain his department is covered during this crisis.

Sheriff stated that Court Referral had started back to work but Chairman Seay stated he was aware of that, but he had told them the Courthouse was still officially closed to the public and no one was allowed in. If they could conduct their business in the parking lot, it was fine, but no one would be allowed in the Courthouse until the quarantine is lifted.

**County Administrator:** Nothing to report.

**County Engineer:** Engineer Justin Barfield stated his department had three call outs during the storm last night. He has one employee in process for his department but is still shorthanded.

Used up balance of Federal Aid on projects on County Road 4 and County Road 53. Wiregrass Construction was the low bidder at \$641,391.50 to pave a total of 4.43 miles. Projects are beginning on County Roads 16, 34 and 105 and Hartford Lake Road. The project will be to clip out existing three feet on each side of the road to have a better roadbed to resurface on. Shoulder work is continuing on County Road 49.

Solid Waste Director, Dawn Smith has asked for a parking area for her employees closer to their shop and trucks. He provided pictures to the Commissioners showing the layout of the property and stated a gate can be added for the Solid Waste employees to access allowing them to park at the Solid Waste barn. The garbage trucks would still use the same route they have been using to enter and exit the road and bridge yard.

The dump trucks picked up by Deanco Auction are still on their yard due to the Coronavirus pandemic, but are being advertised online. Auction is scheduled to end April 15<sup>th</sup>. A loan payment has had to be made on these trucks.

Mr. Barfield stated the garbage truck that was listed on GovDeals for the Solid Waste Department had sold.

Free day at the landfill will be held on Friday April 17 and Saturday April 18.

**County Attorney:** Attorney Eldridge has prepared a request for an Attorney General's opinion on what the excess runs from the one percent sales tax can be used for by the

Road & Bridge department. He stated the Commission had decided that they would continue present funding for the jail, and it would continue as in the past from the General Fund and all additional expense would be funded through the one cent sales tax. The Commission had approved the hire of four additional employees in newly created positions for the jail which will be funded from the one cent sales tax. If money is left in excess of maintenance and operation of the jail it is to be used for Road & Bridge projects. There is a question as to how these monies can be spent. Asking for an Attorney General's opinion.

Joy from JMR+H has forwarded him information on the deliveries of the furnishings and high-density storage for the jail. Deliveries are scheduled for April 17<sup>th</sup>, 24<sup>th</sup>, 30<sup>th</sup>, and June 1<sup>st</sup> and 8<sup>th</sup>.

He has the completed plaintiff's fact sheet on the prescription drug lawsuit and will email the signature page once the Chairman has signed it.

The sales tax exemption expires May 1, 2020 on the jail and needs to be extended through the completion of the jail. The recommendation is to extend it through Jan 31, 2021. The request for extension has been filed with the Alabama Department of Revenue and has received an acknowledgment of receipt.

Notice of non-payment has been received from Old Castle, a Sub-Contractor on the jail project for \$17,065.63. It has been forwarded to JMR+H and they are working with Bear Brothers on this issue. It involves some product that was received that was stained and not accepted.

The loan with US Bank on the Jail Construction requires an audit on the jail project will be provided annually. Currently the county does not own the jail. The debt is with the Geneva County Public Building Authority and the County leases it from them and makes the payments on the loan. The State of Alabama is behind on auditing and the County just received the finalized audit for FY2018. While the bank is sympathetic to this they are still insisting on the audit. The suggestion was made we could get the bond attorney to request an extension. The County could hire an outside CPA to conduct an audit of the Jail Construction account if necessary. The loan could go into default and the County could pay the default fee. After discussion it was decided to request an extension through the bond attorney.

**Chairman Seay:** Chairman Seay stated JMR+H would be coming after the quarantine to do a final walkthrough for measurements of the Courtroom.

**Revenue Commissioner:** Nothing to report.

**EMA Director:** Eric Johnson stated the County had no major damage from the storm last night. The County now has one reported case of Covid-19. The County could soon have a drive through testing site. They would like for it to be in the City limits of Geneva. Possible sites currently are the Geneva High School, Farm Center, Piggly Wiggly parking lot and Maple Avenue Baptist Church. All EMS departments in the County are ready and prepared for any situation with the virus. He has had conversation with The Edge in Malvern and Lincoln Fabrics in Geneva on possible production of PPE supplies. At this time the peak for the virus could be around April 27, 2020.

**E-911:** Mr. Jeremy Williams stated his office now receives a list from the State with positive cases in the County. In case of an emergency at a home with a positive case they will notify the agency responding that there is a positive case of Covid-19 at the home. His office is still closed to the public and at this time looks like it will remain so for at least another sixty days. 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:** Not present.

**Commissioner Brannon:** Nothing to report.

**Commissioner Hammer:** Nothing to report.

**Commissioner Spivey:** Nothing to report.

**Commissioner Wilks:** Asked about the salary study being conducted by Jacksonville State University. Chairman Seay stated he had been told they had all the information and we could receive it in the next few weeks.

Commissioner Wilks made a motion to recess until Monday April 20, 2020 to review the bids for the Spec Building. Commissioner Spivey seconded the motion. Vote was 4-0.

Commissioner Wilks made a motion to resume the meeting from April 13, 2020. Commissioner Brannon seconded the motion. Vote was 3-0.

Present at this time was Chairman Toby Seay; Commissioner Brannon; Commissioner Hammer; Commissioner Wilks; County Attorney Phil Eldridge; County Administrator Marietta Webster and Assistant County Administrator Cindy Williams. Also present was Mr. Phillip Santora with Northstar Engineering.

Mr. Santora was attending to present the site plan with grading, paving and storm drainage and a building package for the metal building at the Industrial Park. It is set up for two base bids and two additives. One base bid will be for the site work, storm drainage, erosion control and utilities and an additive to do the paving and curbing. The other base bid will be for the metal building, which includes wainscot on the front and down both sides and concrete footings. The additive will be to do the front porch area. If the county is capable of doing the grading and drainage for the project, it will be possible to come in later and do the paving. There are several bays (loading docks) across the back of the building allowing for one tenant or multiple tenants. These bids will not include the concrete flooring or wiring. This is due to not knowing at this point if you might have one tenant or multiple tenants and the requirements for each. To avoid the cost of having to install concrete and wiring and then having to tear out either or both those can be done when the building is leased or purchased to the specifications of the

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tenant. Northstar does not recommend adding moisture barrier or gravel at this point either to avoid cost at a later date. Project should take one hundred eighty days to complete under normal circumstances. This project has to be advertised three times in the Geneva County Reaper and one time each in three Statewide publications. Plans will be sent out via PDF from Northstar or can be picked up in person at Northstar office. If advertising is placed in the Geneva County Reaper beginning next week it would allow the bids to be opened the week of May 18 - 22, 2020 and Northstar would send the Commission a letter recommending the low bidder. Project at this point could have a potential start date at the end of June 2020. Changes for the plan presented include install brick or stonework under the porch area and around the front columns; added volume for light duty asphalt in the entrance area.


Attorney Eldridge gave Mr. Santora typed guidelines for the Alabama Public Works Law for the bid and specifications.

Commissioner Wilks made a motion to proceed with the site plans for the Spec building at the Industrial Park with the noted changes and advertising to begin April 29, 2020 for the bids for this project. Commissioner Brannon seconded the motion. Vote was 3-0.

Commissioner Hammer made a 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, April 13, 2020.


  
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Chairman, Toby Seay

  
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Marietta Webster Chief Administrative Clerk  
Cindy Williams Asst Administrative

  
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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