

The Geneva County Commission met in regular session on Monday, December 14, 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 Weston Spivey, Todd Brannon, Bart Wilks and Wade Fulford. The County Attorney Phil Eldridge; County Engineer, Justin Barfield; Assistant County Engineer, Mike Shirah; Sheriff Tony Helms; EMA Director Eric Johnson and County Administrator Cindy Williams were also present. State Representative Jeff Sorrells was also present. The following business was transacted:

MINUTES OF THE MEETING

NEW BUSINESS:

1. Approve Minutes of November 23, 2020. Commissioner Wilks made a motion to approve the minutes of November 23, 2020. Commissioner Spivey seconded the motion. Vote was 4-0.
2. Proclamations: A proclamation honoring Mr. Billy Adams for his years of service upon his retirement, read by Chairman Seay. Commissioner Fulford made a motion to approve the proclamation for Billy Adams. Commissioner Spivey seconded the motion. The proclamation was presented to retiring County employee Billy Adams for has 43 years of dedicated service to Geneva County.
3. Industrial Development Authority - Attorney Preston Register, Matt Parker with Dothan Area Chamber of Commerce and Jonathan Tulles with Wiregrass Industrial Development were all present to discuss Geneva County joining Houston and Henry Counties in the Industrial Development Authority. The County currently participates with Wiregrass Industrial Development however, this would further help promote the Industrial development of Geneva County. A resolution has been presented for the County Commission of Geneva County, approving amendments to articles of incorporation of the Industrial Development Authority of Houston and Henry Counties. After further discussion Commissioner Spivey made a motion to adopt the resolution for Geneva County to join the Industrial Development Authority of Houston and Henry Counties. Commissioner Brannon seconded the motion. Vote was 4-0. The Commission must appoint three citizens of Geneva County to the board. The names presented for consideration

are Todd Mote, Michael Langford, and Darin Moseley. Commission Spivey made a motion to appoint Todd Mote, Michael Langford and Darin Moseley to the Industrial Development Authority of Houston, Henry, and Geneva County. Commissioner Brannon seconded the motion. Vote was 4-0.

4. Bids: Bids for banking services were received. Only one bid was received from First National Bank of Hartford. The interest quote was .40% for three years, January 1, 2021 – December 31, 2023. Commissioner Brannon made a motion to accept the banking bid from First National Bank of Hartford. Commissioner Wilks seconded the motion. Vote was 4-0.
5. Board Appointments: Roger Wise currently serves on the E-911 Board and is up for reappointment. Commissioner Fulford made a motion for this to be tabled until he could research the appointment. Commissioner Wilks seconded the motion. Vote was 4-0.

OLD BUSINESS:

1. Board Appointments – None
2. Bids – None
3. Spec Building – Chairman Seay stated all materials are on site now and should begin to see progress in the structure of the building.
4. Courtroom Renovation –The notice to proceed is today and work should begin this month. The upgrade to the sound system is due to begin tomorrow.
5. Step Raises – Commissioner Wilks made a motion to table this discussion until further research can be done on this matter. Commissioner Brannon seconded the motion. Vote was 4-0.

REPORTS OF STAFF:

Sheriff: The Sheriff stated he was continuing to get information and pricing on the new software management system for the Jail. Attorney Eldridge inquired about the end date of the current software system to which the Sheriff replied will be August 2021. All records in the current system will have to be transferred to the new software system. The Sheriff and his Chief Clerk have been working on the reimbursement for State Inmates and he had given the County Administrator a check for \$78,000. This reimbursement was for housing State Inmates from March to current. The downside to housing these inmates is that it could fill up the jail quicker than expected. Not certain how long this program will last but will continue to bill the State monthly for these inmates. Sheriff Helms presented the Commission with information on the Emergency Hours given in March of this year due to Covid and his departments use of these hours. Given that his departments (Deputies and Jail) run twenty-four hours per day, seven days per week, three hundred sixty-five days per year his employees have been unable to use the hours given. While it was stated the hours were to be used from March – December 31, 2020 and any remaining hours would go away, his departments have not been able to use the hours given and he feels it is unfair to his employees. After discussion Commissioner Spivey made a motion that any remaining Emergency Hours left after December 31, 2020

be rolled into the employee's Sick Leave. Commissioner Brannon seconded the motion. Vote was 4-0.

The Sheriff stated that they were cleaning out the old jail and would present the Commission with a list of items remaining that could be sold at auction or placed on GovDeals.

County Administrator: Reported on CARES Act reimbursements. We initially submitted \$109,131.07 but had to remove the payroll piece where we had paid the Emergency Hours out, so the resubmission was for \$18,188.60. Second submission was for \$53,782.72 and we have received an email approving those expenditures. Currently working on the last submission which should be around \$175,000.00. Chairman Seay stated we may not be getting back as much as we could but since we have to spend the funds up front and then wait on an approval and the reimbursement we did not want to spend too much in case we were denied any of the expenditures.

Mrs. Williams asked Sheriff Helms if there had been any maintenance issues with the jail. JMR+H has sent a spreadsheet that all issues need to be recorded for tracking purposes so that everyone is aware of the issues and there are no surprises as the warranties begin to expire. She requested that the Jail Administrator get with her to complete the spreadsheet on all issues that have previously been reported so the spreadsheet could be completed to date. Any issues from here forward should be reported to Mrs. Williams so that all parties can be notified of the issues.

County Engineer: Engineer Justin Barfield stated that the contract for the unshielded bridge ends on County Road 1 in District 4, had been approved at an earlier Commission meeting and he had the resolution that needed to be signed by Chairman Seay for the project.

The parking lot improvement project at the Courthouse Annex had been awarded to MidSouth Paving and they will begin the work after January 1, 2021. Mr. Barfield has the contract from MidSouth Paving to be approved. Commissioner Brannon made a motion to approve the contract and authorize the Chairman to sign. Commissioner Wilks seconded the motion. Vote was 4-0.

Paperwork has been submitted to FEMA on the Hurricane damage. Next deadline for information is next Thursday.

Dirt from the Industrial Park will be hauled off this week.

Workplace modification in the front entrance at the Engineering Office began last week and should be completed in a week.

Picking up new Low-boy tomorrow.

Mowing continues and should be completed by the end of December.

Rebuild Alabama project paperwork due by December 18th and additional information due in January.

Mr. Barfield had previously discussed the operator hours at the C&D Landfill and after some research has found that Monday is a busier day than Friday and is asking the Commission to consider closing the Landfill on Friday's and changing the work schedule of the Landfill Operator to the same schedule as the Road and Bridge department. This would give the Operator two hours uninterrupted in the morning to work on digging the cell. Commissioner Spivey made a motion to change the hours for the Operator at the

Landfill to 6:00 am – 5:00 pm Monday – Thursday, with the Landfill being open to the public 8:00 am – 4:00 pm beginning February 1, 2021. Commissioner Brannon seconded the motion. Vote was 4-0

County Attorney: Attorney Eldridge stated that the Solid Waste department has a pick-up truck for sale and the Solid Waste Director has asked if she can sell the truck locally instead of advertising on GovDeals. He stated the Commission would have to declare the truck as surplus. Solid Waste Director stated it has already been declared as surplus. The Commission recommended she include the truck in the public sale the Sheriff will be doing next year.

Chairman Seay: Chairman Seay discussed local bills regarding mental health. There was not a local bill, but a State-wide bill would be on the ballot next year. This last session there were no local bills voted on. Chairman Seay would like to have a local bill as well as the State-wide bill. Law enforcement would have the authority to take an individual to the hospital that they believe is mentally ill. If the individual is on drugs, they could say this person is on drugs they can be sent back home or arrested. Have the local bill run concurrent with the Statewide bill. Commissioner Wilks made a motion to approve the mental health local bill. Commissioner Brannon seconded the motion. Vote was 4-0.

In 1982 Amendment 429 was passed which only included 17 Counties that gave them the authority to purchase land but not to make improvements to the land (build buildings). That is the reason we had to have the loan on the Spec Building validated. A state-wide amendment was passed after that which gave all counties the authority to do with the land as they saw fit. Since we were under the local amendment that is the reason extra steps and expense were involved in being able to build the Spec Building. To repeal the local amendment, it must be a vote of the people but by having it repealed it will save the County money in the future for further development projects. It would be on the next ballot. Attorney Eldridge stated that there was a proposed State-wide amendment which repealed all the local acts. The conflict lies in which amendment applies and again that is why we had to have the loan on the Spec Building validated and had extra expense involved in the project. Chairman Seay is asking for a motion to have the repeal of Amendment 429 on the next ballot. It would be beneficial to the County to have this removed. Commissioner Brannon made a motion to have a repeal of Amendment 429 on the next ballot. Commissioner Wilks seconded the motion. Vote was 4-0.

Sheriff Helms had requested to charge a service fee for serving papers out of State. Chairman Seay had spoken with Representative Sorrells and he did not have any objections to introducing the bill for service fees for the Sheriff's department. The Commission would like to know what surrounding counties did on their bills. Was it decided by Constitutional Amendment or Local Act?

Revenue Commissioner: Not present

EMA Director: EMA Director Eric Johnson reported that beginning tomorrow the ALDPH will no longer be giving out PPE. He is getting low on supplies and will need to make a large order. Operation Warp Speed for Covid-19 vaccine distribution should

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begin in the next few weeks. First doses will be going to the hospitals and nursing homes, then first responders. Wearing masks is extremely important and is asking all officials to help spread the word about masks and please set an example for the citizens.

Solid Waste: Not present.

E-911: Not present.

Auburn Extension: Not present.

Commissioner Brannon: Nothing to report.

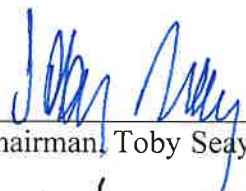
Commissioner Fulford: Nothing to report.

Commissioner Spivey: Nothing to report.

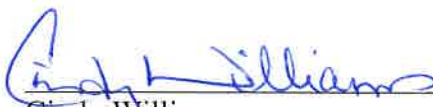
Commissioner Wilks: Nothing to report.

Commissioner Fulford made a motion to adjourn. Commissioner Wilks seconded the motion. Vote was 4-0.

The above constitutes the minutes of the meeting of the Geneva County Commission held on Monday, December 14, 2020.



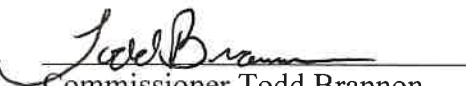
Chairman Toby Seay



Cindy Williams
County Administrator



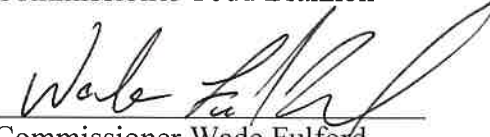
Commissioner Weston Spivey



Commissioner Todd Brannon



Commissioner Bart Wilks



Commissioner Wade Fulford

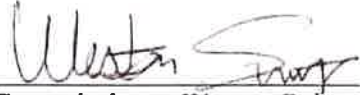
Whereas, the Geneva County Road and Bridge Department has the responsibility to maintain the County's Roads and Bridges, and


Whereas, the Geneva County Road and Bridge Department's Road Foremen have the duty to manage Department personnel and equipment to ensure that the county roads and bridges are repaired and maintained for the safety of the traveling public, and

Whereas, the Geneva County Road and Bridge Department promoted Mr. Billy Adams to the position of Road Foreman of the Geneva County Road and Bridge Department 28 years ago, and

Whereas, prior to becoming Road Foreman, Mr. Billy Adams worked faithfully and loyally in numerous positions for the County Road and Bridge Department for over 15 years; and

NOW BE IT RESOLVED on the 14th day of December 2020, by the County Commission of Geneva County, Alabama, does hereby acknowledge and honor Mr. Billy Adams as he retires, and does hereby express its appreciation to Mr. Billy Adams for his outstanding leadership, tireless contributions, dedication and loyalty to the Geneva County Road and Bridge Department for 43 years of services.


Commissioner Weston Spivey


Commissioner Todd Brannon


Commissioner Bart Wilks


Commissioner Wade Fulford


Chairman Toby Seay

RESOLUTION

A RESOLUTION OF THE COUNTY COMMISSION OF GENEVA COUNTY, ALABAMA, APPROVING AMENDMENTS TO ARTICLES OF INCORPORATION OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF HOUSTON AND HENRY COUNTIES AND DECLARING THAT IT IS WISE, EXPEDIENT AND NECESSARY THAT THE PROPOSED AMENDMENTS BE ADOPTED.

WHEREAS, the Legislature of Alabama has declared as follows:

In recent years changes have taken place in the economy of the state that have had a far-reaching effect on the welfare of its citizens. The agrarian economy that once prevailed in the state and provided the principal means of livelihood for most of its citizens has proven inadequate to provide employment for the state's growing population. The advent of mechanized and scientific farming methods has reduced greatly the number of persons required to obtain increased yields of agricultural products from land under cultivation. There has been a correspondingly greater dependency upon industrial development as the bulwark of the economy of the state. It is therefore appropriate and necessary that measures be taken to secure to the citizens of the state the benefits of a strengthening economy resulting from increased industrial development. Among these benefits are diversification of available job opportunities, higher salaries, better working conditions, lower consumer prices for industrial products, conservation and efficient use of natural resources, and maximum utilization of technical skills possessed by the citizens of the state. The police power of the state casts upon the Legislature the peculiar function of ascertaining and determining when promotion of industry, and the welfare of the people is so inextricably intertwined with industry and industrial development as to make its well-being a matter of governmental concern. The solicitation of industries and other concerns producing additional jobs and strengthening the economy of the state has become increasingly competitive, with the state being required to compete not only with other states, but with nations other than the United States of America. Therefore, it is imperative that public corporations be incorporated or reincorporated with authorities and powers sufficient, to the greatest extent possible, to permit the inducement of such enterprises to locate, expand, improve their operations, or remain in the state. It is the further intention of the Legislature that the public corporations authorized by this chapter [ALA. CODE § 11-92A-1, *et seq.*] shall have discretion as to the manner of expending funds at their disposal for the purpose of promoting industrial development, subject to the limitations detailed in this chapter [ALA. CODE § 11-92A-1, *et seq.*]; and

WHEREAS, the Industrial Development Authority of Houston and Henry Counties has

adopted a resolution proposing amendments to its articles of incorporation pursuant to ALA. CODE § 11-92A-11 in order to afford opportunity for Houston County, Henry County, and Geneva County to work together to jointly promote the Wiregrass Area and to engage in economic and industrial development efforts for the benefit of all the citizens of the region; and

WHEREAS, in recognition of the foregoing, the Chairman and Secretary of the Board of Directors of the Industrial Development Authority of Houston and Henry Counties, in the name of and on behalf of the Industrial Development Authority of Houston and Henry Counties, have filed an Application for Amendment to Articles of Incorporation of the Industrial Development Authority of Houston and Henry Counties ("IDA Application") based upon the Resolution of the Board of Directors of the Industrial Development Authority of Houston and Henry Counties Proposing Amendments to Articles of Incorporation of the Industrial Development Authority of Houston and Henry Counties ("IDA Resolution") that adopted the Articles of Amendment of the Articles of Incorporation of the Industrial Development Authority of Houston and Henry Counties ("Amendments") pursuant to the provisions of ALA. CODE § 11-92A-11, which are attached hereto and incorporated herein by reference as if fully set forth; and

WHEREAS, ALA. CODE § 11-92A-11 requires that the County Commission of Geneva County, Alabama ("Commission") review and adopt a resolution to approve the Amendments before the Amendments can become effective.

NOW THEREFORE, BE IT RESOLVED by the Geneva County Commission as follows:

1. It is wise, expedient and necessary that the proposed Amendments be adopted pursuant to Title 11, Chapter 92A, Section 11, of the Code of Alabama 1975, as amended.
2. The Commission hereby approves of the IDA Application attached as **Exhibit A** to this Resolution.
3. The form of the Amendments attached as **Exhibit B** is hereby approved.
4. The Industrial Development Authority of Houston, Henry, and Geneva Counties is hereby authorized to proceed in adopting the proposed Amendments by signing and filing the Amendments for record with the Judge of Probate of Geneva County, Alabama.

The remainder of this page is intentionally left blank and the signature page follows.

The above and foregoing Resolution is adopted and approved on this the 14 day of December, 2020, by the Geneva County Commission.

Toby Seay
TOBY SEAY, CHAIRMAN OF
THE GENEVA COUNTY COMMISSION

Authenticated:

Cindy Williams
Clerk and Chief Administrative Officer

Commissioner Sewey moved that said Resolution be adopted, which motion was seconded by Commissioner Brown, and, upon said motion being put to vote, the following vote was recorded:

YEAS: 4

NAYS: 0

The Chairman thereupon announced that said motion had passed and the Resolution was adopted.