

MINUTES, LIMESTONE COUNTY COMMISSION, JANUARY 6, 2014

The Limestone County Commission met in a regular meeting today, at 10:00 a.m. at the Clinton Street Courthouse Annex, 100 South Clinton Street, Athens, Alabama.

PRESENT: Gary Daly, Steve Turner, James W. "Bill" Latimer, and Ben Harrison.
Absent: None. Stanley Menefee, Chairman presided.

The meeting began with the Pledge of Allegiance.

MOTION was made by Gary Daly and seconded by James W. "Bill" Latimer to approve the minutes of December 16, 2013 and January 2, 2014.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by Ben Harrison to approve the following claims

12/13/13	Check # 26477 - 26544	\$ 896,310.74
12/18/13	Check # 26545	\$ 22,680.67
12/20/13	Check # 26546 - 26638	\$1,244,745.97
12/27/13	Check # 26639 - 26694	\$ 572,397.16
	TOTAL	\$2,736,134.54

with detailed claims of the above being on file for review upon request to the County Administrator.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Gary Daly and seconded by James W. "Bill" Latimer to approve the following resolution to support David Bronner as CEO of the Retirement Systems of Alabama.

A RESOLUTION IN SUPPORT OF DAVID BRONNER

WHEREAS, Dr. David Bronner has served as the CEO of the Retirement Systems of Alabama ("RSA"), the pension fund for employees of the State of Alabama, since 1973; and

WHEREAS, under the leadership of Dr. Bronner, based on a study performed by Keivan Deravi, an economist with Auburn University Montgomery in 2012, RSA invested \$5.6 billion from 1990 through 2011 in "alternative" investments such as golf courses, tourism projects, business loans and equity investments (representing only 10% of RSA

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investments during said period of time, the other 90% being invested in more traditional investments such as stocks and bonds); and

WHEREAS, according to Deravi, such “alternative” investments created \$1.1 billion in state tax revenues paid by companies established or supported by RSA investments, and resulted in 282,000 jobs for Alabama residents and \$14.3 billion in paychecks for such employees; and

WHEREAS, the RSA Board has recently enacted a Resolution to create a three member board to review any investments made by Dr. Bronner, an action prompted by Political considerations rather than business necessity; and

WHEREAS, such action by the newly appointed RSA Board will have adverse impact on the ability of Dr. Bronner to make timely business investment decisions and will result in loss of opportunity for our community and the entire State of Alabama; and

WHEREAS, the Limestone County Commission desires to join simultaneously with Colbert County and publicly evidence its appreciation and support of Dr. Bronner as CEO of RSA.

NOW, THEREFORE, BE IT RESOLVED BY THE LIMESTONE COUNTY COMMISSION, governing body of Limestone County, Alabama, that it extends its appreciation and support of Dr. Bronner as CEO of RSA and, further, commends Dr. Bronner for his superior leadership of RSA for the past forty (40) years.

BE IT RESOLVED FURTHER by the Limestone County Commission that it supports the rescission by the RSA Board of its recent action calling for a three member board to review investments made by Dr. Bronner and, if necessary, action by the Alabama Legislature to revoke the RSA Board action.

Approved this 6th day of January, 2014.

Stanley Menefee, Chairman

Gary Daly
Commissioner District I

James W. “Bill” Latimer
Commissioner District III

Steve Turner
Commissioner District II

Ben Harrison
Commissioner District IV

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The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by Steve Turner to authorize the Chairman to execute the following resolution to approve match funding up to \$131,808.00 for a TVA InvestPreg Program Grant for an industrial access road into the Elm Industrial Park, to be shared equally with the City of Athens.

RESOLUTION TO APPROVE MATCH FUNDING FOR TVA GRANT

BE IT RESOLVED BY THE LIMESTONE COUNTY COMMISSION to approve match funding of up to \$131,808 for a TVA InvestPreg Program Grant for the construction of an industrial access road into the Elm Industrial Park. The total project cost is estimated to be \$513,616, of which \$250,000 will be provided through grant funding with the remaining \$263,616 to be shared equally by Limestone County Commission and the City of Athens.

Adopted this 6th day of January, 2014.

Stanley Menefee, Chairman

Attest: _____
Pam Ball, Administrator

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by James W. "Bill" Latimer to authorize the Chairman to execute the following resolution for the Association of County Commissions of Alabama (ACCA) Liability Self-Insurance Fund to extend participation for an additional 3 years, beginning January 1, 2015 through December 31, 2017.

**RESOLUTION OF
LIMESTONE COUNTY COMMISSION**

(ACCA Liability Self-Insurance Fund Participation)

WHEREAS, Limestone County is a member of the Association of County Commissions of Alabama Liability Self-Insurance Fund ("Liability Fund") for the contract period ending Dec. 31, 2014; and

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WHEREAS, the county's participation in the Liability Fund has been a significant benefit to the County since becoming a member; and

WHEREAS, the representation and service provided by the Liability Fund continues to be in the best interest of Limestone County and its officials and employees; and

WHEREAS, Limestone County would benefit by agreeing to extend its participation in the Liability Fund for an additional three-year period beginning Jan. 1, 2015 and concluding Dec. 31, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Limestone County Commission that it renews its participation in the Liability Fund for calendar years 2015 through 2017 and hereby directs its Chair to immediately execute the 2015-17 ACCA Liability Self-Insurance Fund Participation Agreement.

ADOPTED this 6th day January 2014.

Stanley Menefee, Chairman

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by James W. "Bill" Latimer to authorize the Chairman to execute the following updated Data Sharing and Distribution Agreement for the Limestone County GIS Database.

Data Sharing and Distribution Agreement

This Agreement is made by and between Limestone County, Alabama and the Alabama Department of Economic and Community Affairs (ADECA), Office of Water Resources (OWR).

WHEREAS, at significant expense Limestone County has created and developed a Geographic Information System (GIS) database consisting of aerial photographs of Limestone County and/or topographic data of Limestone County, Alabama ("the Limestone County GIS Database");

WHEREAS, Limestone County owns the copyright in and to "the Limestone County GIS Database"; or may otherwise maintain data which is considered proprietary or sensitive to the business interests of Limestone County, Alabama.

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WHEREAS, the ADECA OWR and the Federal Emergency Management Agency (FEMA) desires to create a flood insurance rate map incorporating Limestone County, Alabama using the Limestone, County GIS Database and may update or revise the map in the future where each map version of which is a "Flood Insurance Rate Map" (FIRM) or Risk MAP product; and

WHEREAS, the ADECA OWR and / or FEMA, either itself, or through other parties, desires to distribute the Flood Insurance Rate Map (FIRM) and/or Risk MAP products to government agencies and to the public.

NOW THEREFORE, for the mutual promises contained in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Complimentary Copy of the Flood Insurance Rate Map. The ADECA OWR will provide to Limestone County in digital form, without cost to Limestone County one copy of the final project deliverables, as soon as possible, after it is made available to the public.
2. Applicable GIS Database Paragraphs Section

Datasets:

Limestone County's GIS Database. Limestone County will provide to the ADECA OWR and FEMA a copy of the Limestone County GIS Database, which may consist of the U.S. Geological Survey (USGS) supplied Digital Ortho-photo Quads (DOQs) and/or any Community or State data that meets or exceeds the minimum requirements (1 meter resolution and horizontal accuracy of USGS DOQ's (+/- 38' accuracy at 95% confidence level). Specifically, the Limestone County GIS Database will consist of ortho-photography flown, and processed for Limestone County, Alabama and planimetric data. These flights may have occurred at varying scales. Additionally, Limestone County may provide to the ADECA OWR and FEMA a copy of the county's topographic data. All digital data, which is used to make DFIRMs, must meet specific standards within the FEMA Guidelines and Specifications for Flood Hazard Mapping Partners [April 2003]. All digital data submitted must also include the applicable metadata, which meets the FEMA requirements for the Federal Geographic Data Committee (FGDC) standards for the description of the digital data.

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- a. Photography Agreement. Limestone County grants the ADECA OWR and FEMA a non-exclusive, royalty-free Agreement. Limestone County further grants the ADECA OWR and FEMA a non-exclusive, royalty-free Agreement to copy and distribute the data as part of the Flood Insurance Rate Map or Risk MAP products.
 - b. Vector Database Agreement. To indicate base map features on the map products, Limestone County grants the ADECA OWR and FEMA a non-exclusive, royalty-free Agreement to use and distribute the Limestone County GIS Database, as is, or to use and convert the Limestone County GIS Database vector base map data to a raster format, i.e., a picture grid format before distribution. The specific vector base map layers provided includes transportation features, e.g., roads, railroads, airports and structures (bridges and culverts); hydrographic features, including streams, rivers, lakes, and shorelines; current political boundaries, including those that define the county, corporate limits, extraterritorial jurisdictional areas, military lands, and Native American lands; Parks or forest lands, if applicable; range, township, and section lines, if applicable; and feature names for all of the features that have names, i.e., all the above data sets will also include the accompanying annotation, if applicable.
3. Severability. If any condition or provision of this Agreement is held invalid or unenforceable, it shall not affect the validity of the remaining provisions. The remainder of the Agreement shall not be affected, and each condition or provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
4. Modification. The terms of this Agreement may not be modified by oral agreement but may only be modified by written agreement signed by both parties.
5. Section Titles. The section titles in this Agreement are for convenience only and have no legal or contractual effect.
6. Governing Law. This Agreement is subject to the laws governing the State of Alabama. Claims or disputes under this Agreement shall be resolved in accordance with the laws governing the State of Alabama.

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- 7. Multiple Originals. This Agreement may be executed in separate, identical counterparts, any one of which when executed and delivered shall be an original, and all of which together shall constitute one and the same instrument.
- 8. Entire Agreement. This Agreement expresses the final agreement and understanding between the parties regarding the subject matter hereof. Any and all prior agreements, understandings, and representations are hereby terminated and cancelled in their entirety and are of no further force or effect.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Steve Turner to award the following bid proposal to the lowest responsible bidder meeting specifications as follows:

Proposal No.	Item	Awarded To	Amount
2462	Gasoline & Diesel Jan. 10, 2014 - April 10, 2014	W. H. Thomas Oil Co.	\$0.18 per gallon

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Gary Daly and seconded by Steve Turner to employ Pattie Reinhardt as a Communications Officer and Lance Vickers as a Corrections Officer, pending drug and alcohol screenings.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by Steve Turner to approve Family Medical Leave for Susan Ray, beginning January 22, 2014 until February 10, 2014.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

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MOTION was made by Steve Turner and seconded by Gary Daly to approve the following merit increases, which are included in the base pay and cost of living pay as listed below.

Name	Position	Effective Date	Current Rate Per Hour	New Rate Per Hour
Patricia Andrews	COA Van Driver	1/03/13	12.78	13.10
Justin Brown	Equipment Operator II	1/07/14	10.87	11.24
Shelia Long	COA Nutrition Coordinator	1/30/14	13.21	14.23
Johnny Smith	Nutrition Site Manager	1/11/14	9.61	9.91
Rita White	EMA Director	1/21/14	33.82	34.73

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. “Bill” Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by Gary Daly to remove the Family Resource Center appropriation request from the agenda until a later date at the request of Sarah Chadwell, Executive Director.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. “Bill” Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by James W. “Bill” Latimer to approve the Athens-Limestone Beautification Board appropriation request in the amount of \$2,500.00.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. “Bill” Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

Chairman Menefee announced the following **RE-SCHEDULED HEARING**: Limestone County Commission will conduct a public hearing to solicit public comment concerning the County’s Solid Waste Management Plan (SWMP or Plan) on **Monday, February 3, 2014 at 10:00 AM** at the Limestone County Clinton Street Annex, 100 Clinton Street, Athens, AL, as required by the Alabama Solid Wastes & Recyclable Materials Management Act (SWRMMA), Code of Alabama 1975, §22-27-47.

Chairman Menefee opened a public hearing to discuss the County’s proposed grant application(s) regarding its intention to apply to the Alabama Department of Economic and Community Affairs for a Community Development Economic Revitalization Grant funds under the Supplemental Disaster Recovery: Tornadoes of April 2011 funding, CDBG, and other state and federal fund opportunities.

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The Chairman turned the floor over to Del Schafer, TARCOG, to conduct the public hearing. Mr. Schafer stated that project goal for the proposed grant application program will be to provide a vital new waterline and system interconnection appurtances upgrade in the north eastern Limestone County water system. This will involve the installation of approximately 54,000 LF of 12-inch water line from Highway 251 north to Sweet Springs Road. Major supply, supplemental, and back-up dependant areas benefiting from this upgrade to the District include the town of Elkmont and Ardmore. The overall project will provide both expanded fire protection and potable water distribution capabilities in times of high demand or times of emergency such as tornadoes. The present limited capacity of the water system infrastructure in the Northeast Zone, coupled with the limited size and capacity of previous booster pumps, and their inability to operate during power outages was made chilling apparent during the March 2012 tornadoes that moved through the County, and power was unavailable. This project effort, coupled with previous generator/pumping and capacity upgrades and enhancements, will provide service levels and resiliency that will promote and encourages in-process economic growth for the county.

Depending upon Disaster based, CDBG, and other stated and federal funding opportunities, the project, which has an estimated cost of \$4M, may have to be both phased, and partially funded by local bonding.

No one spoke in opposition

MOTION was made by Ben Harrison and seconded by James W. "Bill" Latimer to authorize the Chairman to execute the following resolution.

RESOLUTION

LIMESTONE COUNTY COMMISSION

FY 2014 COMMUNITY DEVELOPMENT

BLOCK AND DISASTER/OTHER GRANT APPLICATION RESOLUTION

WHEREAS, the State of Alabama and HUD have made available both program and Special/Disaster needs related funding, and whereby, Limestone County, Alabama, needs, and desires to utilize said types of funds from CDBG and other ADECA Program to provide for the safety and economic wellbeing of its citizens; and,

WHEREAS, the Commission plans to apply to the State's CDBG and other Program under these special need provisions for Grant funds to upgrade and strengthen the disaster resiliency of the north eastern Limestone County water system through the construction of a major 12-inch water interconnect and pressure/volume upgrade arterial; and

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WHEREAS, said Application(s) requires professional preparation, and State Planning District 12, TARCOG, has such expertise; and

WHEREAS, matching funds and/or a commitment of project operation and maintenance support, are required with these types of project;

NOW, THEREFORE, BE IT RESOLVED that the Limestone County Commission does:
1) herewith authorizes the filing of said Application(s) for this purpose; 2) Propose and authorize the use TARCOG to help prepare said Application(s), and, to administer any resultant grant(s) Further, the Commission herewith authorizes and pledges any required matching and/or supporting funds, at the amounts and types in the project budget(s) as attached hereunto and made a part of this Resolution. The Commission does further herewith authorize the Chairman to sign and file said Application(s), and to sign any resultant grant agreements, contracts, assurances, and/or contracts for grant administration pertaining thereunto.

Done this 6th day of January, 2014

The Limestone County Commission

Stanley Menefee, Chairman

ATTEST:

Pam Ball, County Administrator

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Gary Daly and seconded by James W. "Bill" Latimer to approve to close a portion of the Rails to Trails, for a few hours, annually on the first Friday of August to allow participants in the Piney Chapel Farm Heritage Days to ride antique tractors on the trail.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by Ben Harrison to approve to hire a temporary employee for District 2 through a third party agency.

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The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

Recessed at 10:26 a.m. until 10:00 a.m. on Wednesday, January 15, 2014, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.