

MINUTES, LIMESTONE COUNTY COMMISSION, NOVEMBER 17, 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: Stanley Hill, Steve Turner, Jason Black, and Ben Harrison. Absent: None. Mark Yarbrough, Chairman presided.

The meeting began with the Pledge of Allegiance.

MOTION was made by Steve Turner and seconded by Stanley Hill to approve the minutes of November 3 & 12, 2014.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Stanley Hill aye; Steve Turner, aye; Jason Black, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by Jason Black to approve the following claims

11/07/14	Check # 30770 – 30837	\$ 513,035.80
11/14/14	Check # 30838 – 30906	\$ 571,145.60
	TOTAL	<u>\$1,084,181.40</u>

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. Stanley Hill, aye; Steve Turner, aye; Jason Black, 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 providing for Limestone County’s Participation in the “Severe Weather Preparedness Tax Holiday” as Authorized by Act No. 2012-256.

RESOLUTION PROVIDING FOR LIMESTONE COUNTY’S PARTICIPATION IN THE “SEVERE WEATHER PREPAREDNESS TAX HOLIDAY” AS AUTHORIZED BY ACT NO. 2012-256

WHEREAS, during its 2012 Regular Session, the Alabama Legislature enacted Act No. 2012-256, which provides an exemption of the state sales and use tax for certain “covered items” purchased related to severe weather preparedness during the first full weekend of July 2012 and the last full weekend of February in subsequent years; and

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WHEREAS, Act No. 2012-256 authorizes the county commission to provide for an exemption of county sales and use taxes for “certain” items covered by the Act during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted at least 30 days prior to the last full weekend of February in subsequent years; and

WHEREAS, the Limestone County Commission has affirmatively voted to grant the exemption of county sales and use taxes on purchases covered by Act No. 2012-256, beginning at 12:01 a.m. on Friday, February 20, 2015, and ends at twelve midnight on Sunday, February 22, 2015; and

WHEREAS, Code of Alabama 1975, § 11-51-210(e) requires that the county commission notify the Alabama Department of Revenue of any new local tax or amendment to an existing local tax levy; and

WHEREAS, the exemption of certain county sales and use taxes for the last full weekend of February 2015 herein adopted by the county commission is an amendment to the county’s sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in Code of Alabama 1975, § 11-51-210(e);

WHEREFORE BE IT RESOLVED BY THE LIMESTONE COUNTY COMMISSION that it does hereby provide for an exemption of the county sales and use tax on purchases of items covered by Act No. 2012-256 beginning at 12:01 a.m. on Friday, February 20, 2015 and ending at twelve midnight on Sunday, February 22, 2015.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the 17th day of November, 2014 meeting of the Limestone County Commission, and be immediately forwarded to the Alabama Department of Revenue in compliance with Code of Alabama 1975, § 11-51-210(e).

IN WITNESS WHEREOF, the Limestone County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 17th day of November 2014.

Mark Yarbrough, Chairman

Attest: _____
Pam Ball, Administrator

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Stanley Hill, aye; Steve Turner, aye; Jason Black, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by Jason Black to authorize the Chairman to execute a contract with David Seibert to act as an economic development director.

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SERVICES CONTRACT FOR LIMESTONE COUNTY COMMISSION

This Services Contract is made and entered into this 17th day of November 2014, by and between the Limestone County Commission and Charles David Seibert.

PURPOSE

The purpose of this Contract is for David Seibert to act as an Economic Development Director for the Limestone County Commission.

OBLIGATIONS AND SERVICES

It is understood that any obligations, services, or other terms of this Contract shall refer to the services to be provided by David Seibert to the Commission Office.

Seibert shall perform the following services and obligations:

- Provide economic advice and consultation consistent with the county's economic vision.
- Establish, maintain, and coordinate working relationships with other governmental entities involved in economic development for job creation, attraction, expansion and retention activities.
- Report to the Chairman and perform such services as may from time to time be reasonably requested by the County or the Chairman.

COMPENSATION

The County shall pay David Seibert \$23,000.00 annually for time worked or such compensation not to exceed the annual limitation on earnings as allowed an ERS service retired employee, payable in equal biweekly installments, and the County shall reimburse Seibert for all reasonable and necessary out-of-pocket and travel expenses.

TERM; TERMINATION

This contractual agreement will be in effect beginning November 17th, 2014 for an unspecified period. This contract may be terminated without cause upon either party giving written notice to the other party of that party's intent to terminate the contract. Upon termination compensation shall be pro-rated and paid through the effective date of termination.

RELATIONSHIP OF THE PARTIES

It is expressly acknowledged by the parties hereto that no relationship of employer and employee is created by this Contract between the County and Seibert. It is understood and acknowledged that Seibert is at all times acting and performing this Contract as an Independent Contractor.

IN WITNESS WHEREOF, the parties have hereunto set their hands to this Contract and effective on the date first above written:

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LIMESTONE COUNTY COMMISSION

BY: _____
Mark Yarbrough, Chairman

ATTEST: _____
Pam Ball, Administrator

David Seibert

The Chairman asked if there was any discussion. Commissioner Harrison stated that he felt it was an unnecessary expense since the county has an individual with 18 years experience already doing the job, referring to Limestone County Economic Development Association President, Tom Hill. He said, it's not about the individual involved, we're good friends. Commissioner Black stated he believed it would be beneficial for David Seibert to act as a back-up for Tom Hill. He stated, David's experience would be great and we need to do whatever we can to improve the county. Chairman Yarbrough stated that Tom Hill had called and is excited for David to serve as the Commission's Economic Development Director to help move the county forward. The Chairman called the roll. Stanley Hill, nay; Steve Turner, aye; Jason Black, aye; Ben Harrison, nay; and Chairman Mark Yarbrough, aye. Motion carries.

MOTION was made by Stanley Hill and seconded by Jason Black to appoint Mark Yarbrough and Steve Turner to the Top of Alabama Regional Council of Governments Board (TARCOG).

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Stanley Hill, aye; Steve Turner, aye; Jason Black, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by Steve Turner to accept a sealed bid from Kevin Cunningham to purchase five aluminum Army bridge pallets from District 4 in the amount of \$600 each.

The Chairman asked if there was any discussion. Commissioner Black stated he could store the pallets and use them later in District 3. The Chairman called the roll. Stanley Hill, nay; Steve Turner, nay; Jason Black, nay; and Ben Harrison, nay. Motion fails.

MOTION was made by Ben Harrison and seconded by Steve Turner to transfer the five aluminum Army bridge pallets from District 4 to District 3, in the amount of \$600 each.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Stanley Hill, aye; Steve Turner, aye; Jason Black, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by Ben Harrison to approve to negotiate a price for Fleetwood Orbit Travel Trailer; No bids were received.

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The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Stanley Hill, aye; Steve Turner, aye; Jason Black, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Jason Black and seconded by Stanley Hill 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
Elizabeth Clark	Recording Clerk II	11/14/14
Bill Daws	Work Release Director	11/19/14
Marcia Pratt	Tag Clerk	11/06/14
Wendy Tucker-Brito	Recording Clerk	11/30/14

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Stanley Hill, aye; Steve Turner, aye; Jason Black, aye; and Ben Harrison, aye. Motion carries unanimously.

County Engineer Richard Sanders gave an update on the ATRIP French’s Mill Bridge Project. He stated the project is going faster than he anticipated.

MOTION was made by Steve Turner and seconded by Jason Black to authorize Chairman Mark Yarbrough to sign bank transactions for Limestone County Commission, effective November 12, 2014, and remove signatory of Stanley Menefee.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Stanley Hill, aye; Steve Turner, aye; Jason Black, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Jason Black and seconded by Steve Turner to authorize CDPA to conduct an independent audit for less than \$10,000.00.

The Chairman asked if there was any discussion. Commissioners Harrison stated there’s no need to take on additional cost to pay for an audit when the county is already audited by the State Examiners. He further stated a true audit would need to issue an opinion and go through the State Examiner’s Office. He informed everyone that the county only pays for the federal portion of the state audit.

Chairman Yarbrough stated that Emily and Pam do a fantastic job. He said the audit is a review to give a starting point; I just want to know how the money is being spent.

Commissioner Black stated the audit is not to look for anything or point fingers. It’s just good to know where we are, this is transparency.

The Chairman called the roll. Stanley Hill, aye; Steve Turner, aye; Jason Black, aye; and Ben Harrison, nay. Motion carries.

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MOTION was made by Steve Turner and seconded by Stanley Hill to remove the following equipment from inventory:

Department	Item	Inventory #	Serial #
County Commission	Dell PowerEdge R300	4784	29SSVH1
EMA	Dell PowerEdge 2970 EMS01	4806	BNRNJN1
Information Technology	Dell PowerEdge R200	4725	4Q3XVH1
Information Technology	Cisco MCS 7800 Server DVD	4667	KQ367P5
Information Technology	Cisco 2800 Series		FTXO922A3H4
Information Technology	Dell Power Edge 2950	4546	6KK6FH1
Information Technology	Cisco Server DVD	4667	2UX940007J
Information Technology	Gateway E9525R	4497	0038911292
Information Technology	Overland Storage ARC Vault Power Surge	4597	2B82900037
Revenue Commission	HP Color LaserJet 2605dn Printer		
Revenue Commission	9 Dell Keyboards 9 Dell Speaker Sets 3 Dynamic Sound Speaker Sets 1 Mouse		
Revenue Commission	Dell OptiPlex 755 Cameron	4619	DOYSKH1
Revenue Commission	NEC Versa 2435CD Laptop	2346	FNB74504014B
Revenue Commission	2 Dell T3500 Workstations	3639	GVH1MN1 GVH0MN1
Revenue Commission	Dell OptiPlex GX 620		8BBRBB1
Revenue Commission	Dell OptiPlex GX 620 & Dell Monitor		GFKRBB1 CN0GC811728 7265572RS
Revenue Commission	Dell OptiPlex GX 620		506GX551
Revenue Commission	Dell OptiPlex GX620 & Dell Monitor		4GKXBB1 CN0GC811728 7265S6M95
Revenue Commission	Dell OptiPlex GX 620		JKKRBB1
Revenue Commission	Dell OptiPlex GX 620		F0GRBB1
Revenue Commission	Dell OptiPlex 745		DNG77D1
Revenue Commission	Dell OptiPlex GX 620		8KKRBB1
Revenue Commission	Dell OptiPlex GX 620		GVH0MN1
Revenue Commission	Dell Power Edge 2850 Server	4453	6BHN891
Revenue Commission	Toshiba e Studio 352	4447	CGA613015
Revenue Commission	Cisco IP 7906 Phone		1NM08161B9K
Revenue Commission	Cisco IP 7910 Phone		1NM08161B7R
Revenue Commission	Dell PowerEdge R510 Server	4926	
Revenue Commission	Powervault 110T SDLT 320 Tape Drive		7NH0Q41
Revenue Commission	Dell Power Vault T1000	4842	

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Stanley Hill, aye; Steve Turner, aye; Jason Black, aye; and Ben Harrison, aye. Motion carries unanimously.

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MOTION was made by Stanley Hill and seconded by Steve Turner to transfer the following equipment:

Transferred from	Transferred to	Item	Serial #
County Commission	Information Technology	Dell E5410 Laptop	4878

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Stanley Hill, aye; Steve Turner, aye; Jason Black, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by Jason Black to approve closing County offices November 27 & 28, 2014 for Thanksgiving.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Stanley Hill, aye; Steve Turner, aye; Jason Black, aye; and Ben Harrison, aye. Motion carries unanimously.

Chairman Yarbrough thanked everyone for their support and looks forward to serving the people of Limestone County.

Mr. Glenn Hall, 14951 Blackburn Road, had addressed the Commission about being in the event hosting business. He also stated the County can't continue to purchase and maintain properties all over the city. He mentioned some road concerns in District 3. He said if the Commission invited him to a future meeting, he would discuss the local event centers in more detail.

Commissioner Hill stated he will try to take into consideration what the taxpayers in his district want when he votes.

Commissioner Turner said that work session and commission meetings are public; no one has to be invited to a commission meeting and public comment is always welcome. Addressing Mr. Hall, Commissioner Turner said that he's tired of buying properties too. He made the statement that we have an inexperienced Commission and encouraged the new Commission members to rely on the County Engineer and County Administrator. He said they helped him when first elected and would help them too.

Addressing Mr. Hall's road concerns, Commissioner Black stated he will look into the vegetation on Brownsferry Road and, as well as, the drainage ditch on Evans Road. Commissioner Black also addressed Mr. Hall to clarify his statement regarding the county's event center sitting empty 90% of the time. Commissioner Black said he plans on doing what is best for Limestone County.

Commissioner Harrison agreed with Mr. Hall that government shouldn't be competing with local businesses, entertaining is not a function of government.

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Recessed at 10:57 a.m. until 10:00 a.m. on Wednesday, November 26, 2014, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.