

**MINUTES, LIMESTONE COUNTY COMMISSION, MAY 18, 2015**

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.

Kelly Howard, from Martin & Cobey Construction, gave a construction update on the Courthouse.

Jim Maynard, from Martin & Cobey Construction, gave an update on the construction of the jail expansion project and discussed the proposed change orders on today's agenda. He discussed the possibility of a mushroom type vent on the roof and dome area and the proposed change orders on today's agenda.

Architect Robert Littleton, from Goodwyn, Mills & Cawood, discussed the Courthouse roof.

The meeting began with the Pledge of Allegiance.

**MOTION** was made by Steve Turner and seconded by Stanley Hill to approve the minutes of May 4 & 13, 2015.

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

**MOTION** was made by Jason Black and seconded by Ben Harrison to approve the following claims

5/01/15	Check # 33236 – 33248	\$ 20,574.97
5/08/15	Check # 33249 – 33304	\$308,573.39
5/15/15	Check # 33305 – 33375	<u>\$630,055.47</u>
	TOTAL	\$959,203.83

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 Administrator called the roll. Jason Black, aye; Ben Harrison, aye; Stanley Hill, aye; and Jason Black, aye. Motion carries unanimously.

**MOTION** was made by Jason Black and seconded by Steve Turner to authorize the Chairman to execute the following resolution authorizing the execution of an agreement concerning a transportation planning process of the Decatur Urbanized Area between the counties of Limestone, Morgan, and Lawrence, the municipalities of Decatur, Hartselle, Trinity, and Priceville; and the State of Alabama.

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**Resolution**

**WHEREAS**, Section 134 of Title 23 of the United States Code and Charter 53 Title 49 of the United States Code requires that each urbanized area, as a condition of the receipt of Federal capital or operating assistance have a continuing, cooperative and comprehensive transportation planning process (commonly referred to as the "3-C" Planning Process) that results in plans and programs that consider all transportation modes and supports metropolitan community development and social goals that lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people goods and services; and

**WHEREAS**, the City of Decatur has been selected as the designated transportation planning agency for the Decatur Urbanized Area; and

**WHEREAS**, the State of Alabama receives funds from the Federal Highway Administration and the Federal Transit Administration which includes FHWA Planning funds and PTA Planning funds; and

**WHEREAS**, the State of Alabama has funds available for the designated agency for the "3-C" Planning Process in the Decatur Urbanized Area.

**NOW THEREFORE** be it resolved by the Limestone County Commission that the Chairman be authorized to execute, and the County Clerk be authorized to attest, an agreement with the State of Alabama and the City of Decatur to administer the "3-C" Transportation Planning Process for the Decatur urbanized area.

\_\_\_\_\_  
Chairman, Limestone County Commission

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
County Clerk, Limestone County, Alabama

\_\_\_\_\_  
Date

**AN AGREEMENT CONCERNING A  
TRANSPORTATION PLANNING PROCESS  
FOR THE DECATUR URBANIZED AREA  
BETWEEN  
THE COUNTIES OF  
MORGAN  
LIMESTONE  
LAWRENCE  
AND  
THE MUNICIPALITIES OF DECATUR, HARTSELLE, TRINITY, PRICEVILLE  
AND  
THE STATE OF ALABAMA**

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Sec. 1-1

An Agreement concerning a Metropolitan Transportation Planning Process for the Decatur Urbanized Area between the counties of Morgan, Limestone, and Lawrence hereinafter referred to as COUNTIES; the municipalities of Decatur, Hartselle, Trinity, and Priceville; hereinafter referred to as CITIES and TOWNS; and the State of Alabama (acting by and through the Alabama Department of Transportation), hereinafter referred to as STATE.

Sec. 1-2

(a) WHEREAS, section 134 of Title 23 of the United States Code and Chapter 53 Title 49 of the United States Code requires that each urbanized area, as a condition of the receipt of Federal capital or operating assistance, have a continuing, cooperative and comprehensive transportation planning process that results in plans and programs that consider all transportation modes and supports metropolitan community development and social goals that lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods; and

(b) WHEREAS, the Federal Transit Administration and Federal Highway Administration has issued on July 6, 2012, new regulations concerning metropolitan transportation planning process.

Sec. 1-3

NOW, THEREFORE, it is hereby agreed as follows:

(a) The parties to this Agreement resolve to support a continuing process for the Decatur Urbanized Area, hereinafter referred to as the "3C PROCESS;" and

(b) FURTHERMORE, it is understood by the parties to this Agreement that an unwillingness to participate in the "3C PROCESS" may result in the Secretary of Transportation refusing to approve Federal-Aid funds for surface transportation within the Decatur Urbanized Area

(c) IT IS agreed and further understood by the parties of this Agreement that by execution of this Agreement upon and on behalf of the STATE, the Governor designates the following as the Metropolitan Planning Organization (MPO) for the Decatur Urbanized Area:

(1) The Mayor of each of the municipalities within the transportation planning study area. These municipalities are:

City of Decatur  
City of Hartselle  
Town of Priceville  
Town of Trinity

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- (2) Four elected officials of the City of Decatur, to be selected by the City Council.
- (3) The Chairman of the County Commission of the counties within the transportation planning study area. These counties are: County of Morgan County of Limestone
- (4) North Region Engineer, State of Alabama Department of Transportation
- (5) Transportation Planning Engineer, State of Alabama Department of Transportation (non-voting)
- (6) Division Administrator, Federal Highway Administration (non-voting)
- (7) Member of Lawrence County Commission (non-voting)
- (d) IT IS agreed that any change in the voting membership of the MPO will be at the request of the MPO and with written approval of the Director of the Alabama Department of Transportation. Written approval of the Director of the Alabama Department of Transportation constitutes designation of MPO membership by the Governor of Alabama as required under Federal regulations when this Agreement is signed by the Governor. The MPO may add non-voting members to the MPO, as it deems appropriate.
- (e) IT IS agreed that overall direction of the "3C PROCESS" will be a function of the MPO as identified herein.

Sec. 1-4

- (a) The responsibilities of the MPO will be as follows:
  - (1) Organize and elect a Chairman, Vice-Chairman and establish its rules of procedure and by-laws.
  - (2) Appoint members to the Transportation Technical and Citizens' Advisory Committees.
  - (3) Take official action on Transportation Technical and Citizens' Advisory Committees' recommendations and other matters pertaining to furthering the planning process.
  - (4) Set the transportation study area and Federal-Aid urban area boundaries.
  - (5) Adopt transportation goals and objectives to guide the Decatur Urbanized Area metropolitan planning process.

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(6) Annually endorse the Unified Planning Work Program (UPWP) which documents the transportation-related planning activities to be performed with planning assistance provided under FT A and FHW A Planning funds for Moving Ahead for Progress in the 21st Century Act (MAP-21) and other funding sources.

(7) Review and endorse the Transportation Plan to confirm its validity and its consistency with current transportation, and land use conditions as required by the State and Federal regulations.

(8) Adopt a Transportation Improvement Program (TIP) that is updated as required by the State and Federal regulations.

(9) Adopt and submit plans and recommendations to participating agencies and local governments.

(b) IT IS further agreed that representatives of the Transportation Technical Advisory Committee, to be appointed by the MPO, will have the following responsibilities:

(1) Make recommendations to the MPO regarding the documents and materials necessary for the MPO endorsements.

(2) Make recommendations to the MPO regarding the elements of the metropolitan planning process necessary to meet the requirement for certification.

(c) IT IS further agreed that representatives of the Transportation Citizens' Advisory Committee, to be appointed by the MPO, will have the following responsibilities:

(1) Make recommendations to the MPO regarding the documents and materials necessary for the MPO endorsements.

(2) Make recommendations to the MPO regarding the elements of the metropolitan planning process necessary to meet the requirements for certification. Sec. 1-5

(a) IT IS further agreed that the City of Decatur accepts and has the responsibility for the coordination of the "3C PROCESS" and further has the responsibility to provide the local coordination for all of the member governmental units and agencies as needed to achieve a comprehensive metropolitan planning program.

(b) IT IS further agreed that the City of Decatur accepts the designation as the recipient of metropolitan planning funds as provided in 23 U.S.C. 104F and 49 U.S.C. Chapter 53.

(c) IT IS further agreed that the City of Decatur will have the following duties and responsibilities:

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- (1) Administration of the study process by the execution of necessary contracts and the provision of financial support necessary for the implementation of the UPWP.
- (2) Arrange meetings, set agenda, and serve as Secretary for the MPO, Transportation Citizens' Advisory Committee, and Transportation Technical Advisory Committee.
- (3) Coordinate the development of the documents and material necessary for the MPO endorsements.
- (4) Conduct the elements of the metropolitan planning process necessary to meet the requirements for certification.
- (5) Coordinate the implementation of the planning tasks outlined in the UPWP.

Sec. 1-6

- (a) IT IS further agreed that the STATE will have the following responsibilities:
  - (1) Dissemination of information and provision of planning assistance regarding metropolitan planning guidelines.
  - (2) Modeling assistance and necessary technical assistance related to the metropolitan planning guidelines.

Sec. 1-7

- (a) IT IS recognized by the parties to this Agreement that the CITY will perform the functions required by the Office of Management and Budget 2 CFR Chapter I, Chapter II, Part 200, et al. (Uniform Administrative Requirements, Cost Principles, and Audit Requirement for Federal Awards).
- (b) IT IS envisioned that the membership of the MPO, as set by this Agreement will work with local planning agencies to insure coordination of the planning process.
- (c) IT IS agreed that the base data, statistics, and projections developed by the CITIES and COUNTIES for comprehensive planning will be available to the MPO planning staff for determining socio-economic and land use data within the Decatur metropolitan study area.

Sec. 1-8

- (a) IT IS agreed that the Agreement executed between the Counties of Limestone, Morgan, and Lawrence, the municipalities of Decatur, Hartselle, Trinity, Priceville, and the State of Alabama acting by and through the Alabama Department of Transportation

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Planning concerning a planning process for the Decatur Urbanized Area, entered into on the May 29, 2012, is hereby made null and void.

(b) IT IS agreed that this Agreement may be terminated by any party which provides the remaining parties written notice sixty (60) days in advance of the termination date. Such notice will be provided by registered mail and the termination date will be determined as that date sixty (60) days from date of delivery.

(c) IT IS further agreed that this Agreement will remain in full force and effect upon succeeding State Administrations providing a succeeding State Administration does not advise the COUNTIES, the CITIES, and the TOWNS, by letter within thirty (30) days after assuming office that this Agreement has been discontinued.

(d) Nothing shall be construed under the terms of this Agreement by the COUNTIES, the CITIES, the TOWNS or the STATE that will cause any conflict with Title 23, Section 15 (1) of the Laws of the State of Alabama (7f24th Law).

(e) The COUNTIES, the CITIES, and the TOWNS will be responsible at all times for the maintenance of all of the work performed under this Agreement and especially, the COUNTIES, the CITIES, and the TOWNS will protect, defend, indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, the officials, officers, employees and agents of each from and against any and all actions, damages, claims, losses, liabilities, attorneys' fees or expense whatsoever or any amount paid in compromise thereof arising out of or connected with the performed work under this Agreement and from and against those at any time arising out of or connected with performed work.

(f) By entering into this Agreement, the COUNTIES, the CITIES, and the TOWNS are not agents of the STATE, its officers, employees, agents or assigns. The COUNTIES, the CITIES, and the TOWNS are independent entities from the STATE and nothing in this agreement creates an agency relationship between the parties.

(g) By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate Federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the Agreement and shall be responsible for all damages resulting therefrom. IN WITNESS WHEREOF, the parties hereto have executed this agreement by those persons duly authorized to execute same, to be effective upon its execution by the Governor of Alabama and countersigned by the Secretary of State.

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

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**MOTION** was made by Ben Harrison and seconded by Steve Turner to approve to withdraw a portion of Bid # 2518 for ribbons, toners, cartridges and developers awarded to Ameritek on February 17, 2015, effective immediately, and rebid.

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

**MOTION** was made by Stanley Hill and seconded by Jason Black to promote Dusty Wallace to Equipment Operator II in District 1.

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

**MOTION** was made by Steve Turner 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.

<b>Name</b>	<b>Position</b>	<b>Effective Date</b>	<b>Current Rate Per Hour</b>	<b>New Rate Per Hour</b>
Rennie Allison	Corrections Officer	5/02/15	19.68	20.30
Anthony Bruno	Deputy	5/12/15	18.40	18.97
Michael Clem	Asst. Animal Control Officer	5/09/15	19.68	20.30
Brian Coleman	Equipment Operator II	5/05/15	13.49	13.91
Angela Ferguson	Title Clerk	5/08/15	15.85	16.35
Casey Foxworthy	Deputy	5/16/15	19.36	19.97
George Hamby Jr.	Engineer Assistant II	5/08/15	22.27	22.97
Rodney Head	Corrections Officer	5/11/15	23.69	24.44
Terry Johnson	Deputy	5/02/15	21.91	22.60
Stephanie Little	Administrative Clerk	5/31/15	17.28	17.82
Wanda Mann	Homemaker	5/24/15	10.64	10.97
Vicky Marbery	Custodian	5/16/15	10.55	10.88
Randal Mashburn	District 4 Foreman	4/19/15	31.23	32.22
Joseph Mears	Equipment Operator II	5/06/15	13.91	14.35
Connie Moore	Van Driver	5/13/15	13.72	14.15
Jessica Pierce	Deputy Revenue Comm.	5/01/15	27.60	28.47
Stacey Pope	Equipment Operator III	5/02/15	16.47	16.99
Tina Stark	Receptionist	5/02/15	14.60	15.05
Nicholas Thompson	Communications Officer	5/03/15	19.68	20.30
Sharon Wilson	Engineering Clerk	5/17/15	15.37	15.85
Jonathan Yerdon	Network Administrator	5/13/15	22.23	22.93

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



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**MOTION** was made by Jason Black and seconded by Stanley Hill to approve a 15 mph speed limit on Pickens Lane in District 3.

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

**MOTION** was made by Steve Turner and seconded by Ben Harrison to approve the following Change Orders for Phase III of the renovations to the Limestone County Courthouse in the amount of \$7,210.40:

- Garber Construction      Add \$982.00 to correct concrete block wall adjacent to new janitor's closet on 2<sup>nd</sup> floor.
- Garber Construction      Add \$6,228.40 to include additional hand railings in Stair #1 due to issues with window openings and include installing VCT and Vinyl Base at the bottom floor of Stair #1 and Stair #2.

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

**MOTION** was made by Jason Black and seconded by Steve Turner to approve the following change orders for the Jail expansion project in the amount of \$26,857.08:

- Cornerstone                      Add \$ 1,382.00 - 2 new intercoms locations in C113
- Cornerstone                      Add \$ 3,773.00 - additional lighting controls
- PSI                                      Add \$ 1,000.00 - modify interior stairs and handrails
- PSI                                      Add \$ 3,300.00 - paint interior & exterior windows
- PSI                                      Add \$ 412.00 - spot prime all interior metal, west area
- VEEP                                    Add \$16,990.08 - lighting control system

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

**MOTION** was made by Ben Harrison and seconded by Stanley Hill to approve the following inventory change:

<b>Transfer from</b>	<b>Transfer to</b>	<b>Item</b>	<b>Inventory #</b>
County Warehouse	Council on Aging Goodsprings Sr. Center	Dell Optiplex 780 PC, Monitor, Keyboard & Mouse	4844

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

Recessed at 10:36 a.m. until 10:00 a.m. on Wednesday, May 27, 2015, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.