

**MINUTES, LIMESTONE COUNTY COMMISSION, MAY 16, 2016**

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.

Mrs. Janette Kyle, 19998 Dugger Road, addressed the Commission concerning installation of a private waterline to two homes on Dugger Road currently being served only by a contaminated well.

Amy Golden, Athens Utilities Customer Relations Manager, told the Commission that the City stands ready to provide water once the right-of-way is granted.

Construction Manager Kelly Howard, from Martin & Cobey Construction, and Architect Robert Littleton, from Goodwyn, Mills & Cawood, briefed the Commission on the Courthouse renovations.

The meeting began with the Pledge of Allegiance.

**MOTION** was made by Stanley Hill and seconded by Jason Black to approve the minutes of May 2 & 11, 2016.

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

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

5/05/16	Check # 38516	\$ 50.00
5/06/16	Check # 38517 – 38591	\$ 384,029.07
5/10/16	Check # 38592	\$ 2,968.75
5/13/16	Check # 38593 – 38686	<u>\$ 813,278.73</u>
	TOTAL	\$1,200,326.55

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 Commission Clerk called the roll. Jason Black, aye; Ben Harrison, aye; Stanley Hill, aye; and Steve Turner, aye. Motion carries unanimously.

**MOTION** was made by Ben Harrison and seconded by Jason Black to authorize the Chairman to execute the following resolution to adopt the 2015 Limestone County Hazard Mitigation Plan update.

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**County of Limestone  
2015 Limestone County Hazard Mitigation Plan Update  
Resolution of Adoption**

**WHEREAS**, the Limestone County Hazard Mitigation Plan has been updated in accordance with FEMA requirements at 44 C.F.R. 201.6; and

**WHEREAS**, the County of Limestone participated in the updating of a multi-jurisdictional plan, the Limestone County Hazard Mitigation Plan; and

**WHEREAS**, the County of Limestone is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the plan and the actions in the plan; and

**WHEREAS**, the County of Limestone has reviewed the plan and affirms that the plan will be updated no less than every five years.

**NOW THEREFORE, BE IT RESOLVED** by the County Commission that the County of Limestone adopts the 2015 Limestone County Hazard Mitigation Plan update, and resolves to execute the actions in the plan.

ADOPTED, this 16<sup>th</sup> day of May, 2016 at the meeting of the Limestone County Commission.

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Chairman, Limestone County Commission

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

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**MOTION** was made by Jason Black and seconded by Stanley Hill to authorize the Chairman to execute the following Authorizing Resolution and Governmental Lease Purchase Agreement to purchase One (1) New Case Tractor along with (1) New Land Pride 56 Series Offset Rotary Cutter and obtain financing from Hancock Bank in the amount of \$72,048.74 at interest rate of 1.81% for five annual payments for District 3.

**AUTHORIZING RESOLUTION**

COMMISSIONER JASON BLACK moved the adoption of the following Resolution and Order:

A RESOLUTION OF THE COUNTY COMMISSION, THE GOVERNING BODY (“THE COMMISSION”) OF LIMESTONE COUNTY, ALABAMA (THE “LESSEE”), FINDING IT NECESSARY TO ACQUIRE EQUIPMENT FOR GOVERNMENTAL OR PROPRIETARY PURPOSES AUTHORIZED BY LAW: FINDING THAT IT WOULD BE IN THE PUBLIC INTEREST TO ACQUIRE SUCH EQUIPMENT UNDER THE TERMS OF A LEASE PURCHASE AGREEMENT: FINDING THAT HANCOCK BANK (THE “LESSOR”) HAS OFFERED TO ACQUIRE SUCH EQUIPMENT, OR TO ACQUIRE FROM AND REIMBURSE THE LESSEE FOR THE COST OF SUCH EQUIPMENT IN THE EVENT THE EQUIPMENT HAS ALREADY BEEN PURCHASED BY THE LESSEE, AND TO LEASE SUCH EQUIPMENT TO LESSEE: FINDING THAT SUCH PROPOSAL IS IN THE INTEREST OF THE LESSEE AND AUTHORIZING AND DIRECTING THE AUTHORIZED OFFICERS (AS HEREINAFTER DEFINED) TO EXECUTE A LEASE PURCHASE AGREEMENT AND SUPPORTING SCHEDULES AND ATTACHMENTS INCLUDING, BUT NOT LIMITED TO, ASSIGNMENTS OF TITLE TO THE EQUIPMENT TO HANCOCK BANK TO THE END THAT THE EQUIPMENT SHALL BE ACQUIRED BY SUCH BANK AND LEASED TO THE LESSEE ON THE TERMS AND CONDITIONS EXPRESSED IN SUCH LEASE.

WHEREAS, the Commission has determined that it is necessary to acquire certain items of Equipment (the “Equipment”) for use by the Lessee for purposes authorized by law and

WHEREAS, the Commission has by these presents determined that it would be in the public interest to acquire such Equipment through a Lease Purchase Agreement as provided under Section 41-16A-1 *et seq.* of the Code of Alabama, 1975, and

WHEREAS, the Commission anticipates that it will not issue more than \$10,000,000.00 of qualified tax-exempt obligations during calendar year 2016 and desires to designate the Lease Purchase Agreement as a qualified tax-exempt obligation of the Lessee for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, (“the Code”).

WHEREAS, to the best knowledge and belief of the Board, this lease qualifies as a qualified project bond within the meaning of the Tax Reform Act of 1986; and

WHEREAS, Hancock Bank has proposed to acquire the Equipment at the offered price and to lease the Equipment to the Lessee at a rate of 1.81% per annum.

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NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

SECTION 1: The Chairman and Chief Administrative Officer (hereinafter the “Authorized Officers”) are hereby authorized and directed to execute a Lease Purchase Agreement (also referred to as a “Governmental Lease Purchase Agreement”), either reference being the “Agreement”, and all attachments thereto. Such Agreement shall be in substantially the form attached hereto with such appropriate variations, omissions and insertions as are permitted or required by this Resolution and as are consented to by the Lessee’s representatives (the “Authorized Officers”) executing the Agreement, such consent being evidenced by their signatures.

SECTION 2: The Equipment to be leased pursuant to the Agreement shall be more fully described in a schedule to the Agreement titled “Exhibit D - Description of the Equipment”. Upon delivery and acceptance by the Lessee of the Equipment, the Authorized Officers are authorized and directed to execute a Certificate of Acceptance of such Equipment and, as provided in Section 4.01 of such Lease, the lease term shall commence on the date of acceptance.

SECTION 3: The Authorized Officers are further authorized and directed to execute on behalf of the Lessee a Financing Statement and all other documents as provided for under Section 7.02 of such Lease to establish and maintain the security interest of Hancock Bank in such Equipment.

SECTION 4: The Commission hereby designates the Lease Purchase Agreement as a qualified tax-exempt obligation for purposes of Section 265(b)(3) of the Code.

SECTION 5: The Lessee and the Commission understand Section 8.03 of the Agreement (“Provisions Regarding Insurance”) and agree to provide liability insurance in accordance with the terms of the Agreement.

COMMISSIONER STANLEY HILL seconded the motion and after a full discussion, the same was put to vote with the following results:

Jason Black	Voted: aye
Stanley Hill	Voted: aye
Steve Turner	Voted: aye
Ben Harrison	Voted: aye

The motion, having received an affirmative vote, was carried and the resolution adopted this the 16<sup>th</sup> day of May, 2016.

By: \_\_\_\_\_  
Mr. Mark Yarbrough  
Chairman of the Limestone County Commission

{Seal}

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Attest: \_\_\_\_\_  
Ms. Pam Ball  
County Administrator

The Chairman asked if there was any discussion. Commissioner Black stated this is a great deal with the governmental lease and should save about \$8,000 on his annual budget, and the equipment is from a local company. The Commission Clerk 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 suspend the Rules of Order.

The Commission Clerk 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 authorize the Chairman to execute ATRIP Project Agreement (ACBRZ59663-ATRP(005); ATRIP # 42-03-07) for bridge replacement culvert and approaches on Lucas Ferry Road over Mud Creek.

Federal ATRIP Funds	\$406,470.97
County Funds	<u>\$103,401.96</u>
TOTAL	\$509,872.93

The Chairman asked if there was any discussion. Commissioner Black stated this is a bad area where Lucas Ferry Road and Brownsferry Road cross and it's flood prone, this project should alleviate that problem. The Commission Clerk called the roll. Jason Black, aye; Steve Turner, aye; Stanley Hill, aye; and Ben Harrison, aye. Motion carries unanimously.

**MOTION** was made by Stanley Hill and seconded by Jason Black to accept grant (15-DJ-LC-017) from the Alabama Department of Economic & Community Affairs Law Enforcement & Traffic Safety Division for automatic vehicle locating system and body cameras, in the amount of \$5,307.00; with no County match.

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

**MOTION** was made by Jason Black and seconded by Ben Harrison to accept grant (15-DJ-LC-020) from the Alabama Department of Economic & Community Affairs Law Enforcement & Traffic Safety Division for automatic vehicle locating system and body cameras, in the amount of \$4,695.00; with no County match.

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The Chairman asked if there was any discussion. Commissioner Black stated Grant Coordinator Sonya Anthony was able to apply for this grant money which was left over from 2014 – 2015. The Commission Clerk called the roll. Jason Black, aye; Ben Harrison, aye; Stanley Hill, aye; and Steve Turner, aye. Motion carries unanimously.

**MOTION** was made by Steve Turner and seconded by Stanley Hill to approve Family Medical Leave for Vicky Marbery, beginning May 3, 2016 until June 20, 2016.

The Chairman asked if there was any discussion. There was no discussion. The Commission Clerk called the roll. Steve Turner, aye; Stanley Hill, aye; Jason Black, 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	5/02/16	20.91	21.57
Anthony Bruno	Deputy	5/12/16	19.54	20.15
Michael Clem	Assistant Animal Control Officer	5/09/16	20.91	21.57
Brian Coleman	Equipment Operator II	5/05/16	14.33	14.78
Angela Ferguson	Tag Clerk	5/08/16	16.84	17.37
Casey Foxworthy	Deputy	5/16/16	20.77	21.42
George Hamby Jr.	Engineer Assistant II	5/08/16	23.66	24.41
Terry Johnson	Deputy	5/02/16	24.16	24.92
Wanda Mann	C.O.A. Homemaker	5/24/16	11.30	11.66
Stephanie Little	Administrative Clerk	5/31/16	18.35	18.92
Vicky Marbery	Custodian	5/16/16	11.21	11.56
Randal Mashburn	District 4 Foreman	4/19/16	33.19	34.23
Joseph Mears	Equipment Operator II	5/06/16	14.78	15.24
Connie Moore	C.O.A. Van Driver	5/13/16	14.57	15.03
Jessica Pierce	Deputy Revenue Commissioner	5/01/16	29.33	30.25
Tina Stark	Receptionist	5/02/16	15.50	15.99
Nicholas Thompson	Communications Officer	5/03/16	20.91	21.57
Sharon Wilson	Engineering Clerk	5/17/16	16.33	16.84
Jonathan Yerdon	Information Technology Director	5/13/16	23.62	24.36

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

**MOTION** was made by Ben Harrison and seconded by Jason Black to change the speed limit to 50 mph on Elk River Mills Road from Highway 99 to Baker Hill Road in District 4.

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

**MOTION** was made by Steve Turner and seconded by Stanley Hill to approve the following Change Order for Bid No. 2581, Data Infrastructure & Audio System & Wiring for the Courthouse: \$8,113.00

- Building Systems Technology, Inc. – to add AVI and HDMI receivers and transmitters in Courtrooms 105 & 205, 8 coax drops and 6-strand fiber run to the District Attorney's Office.

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

Chairman Yarbrough asked for a motion to approve an appropriation request from the Spirit of Athens for the Athens Grease Festival in the amount of \$2,500.00. Fails for lack of a motion.

**MOTION** was made by Ben Harrison and seconded by Steve Turner to approve the following Change Orders for Phase III of the Courthouse renovation project; in the amount of \$44,320.00.

- **Garber Construction Co. #14** - Two-part change order. First is the addition of cement board on top of existing wood sub floor. Second part is the removal of the wood sub flooring at the entrances to the public Restrooms; **\$11,500.00**
- **Garber Construction Co. #22** - Adding hard wall tile at wet walls in the Public Restrooms on 2<sup>nd</sup> & 3<sup>rd</sup> Floors; **\$8,567.00**
- **Garber Construction Co. #24** - Painting ceiling of existing Circuit Courtroom 205; **\$3,400.00**
- **Garber Construction Co. #25** – Deduction change order to remove hard tile flooring from the private restrooms at the Judge's Restrooms and Jury Restrooms; **(\$4,680.00)**
- **Garber Construction Co. #26** - Addition of a commercial grade sheet vinyl flooring at the Judge's Restrooms and Jury Restrooms where the hard tile was deleted; **\$4,311.00**
- **Garber Construction Co. #27** - Hard tile flooring added because of the changes made to the floor plan and created the new hallway to the Women's' Public Restrooms; **\$3,973.00**
- **Garber Construction Co., Inc. #28** - Upgrade the wall paint in the Judges' and Jury Restrooms to an Epoxy Paint more durable for restroom walls; **\$747.00**
- **Garber Construction Co., Inc. #29** - Removal of existing sealant and backer rod at the four exterior steps and the installation of a more durable product; **\$16,502.00**

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

Chairman Mark Yarbrough announced a public hearing to discuss a FY 2016 CDBG Application. He turned the floor over to Lucas Blankenship from TARCOG to conduct the public hearing. Mr. Blankenship stated the CDBG Application is to provide funding for the development of water system improvements on New Cut Road near the Oakland Community. The project would replace an existing 3-inch waterline with a 12-inch line. This project will also enable a fire hydrant to be installed at least every 1,000 feet, which should improve insurance rates for homeowners.

No one spoke in opposition.

**MOTION** was made by Stanley Hill and seconded by Jason Black to allow residents on Dugger Road to run private waterlines at their own expense on the County right-of-way.

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

Commissioner Turner reported that resurfacing work on East Limestone Road should begin shortly after school is out for the summer.

**MOTION** was made by Steve Turner and seconded by Stanley Hill to approve the following road improvement projects in District 2.

<b>Road Name</b>	<b>Length in miles</b>	<b>Width in feet</b>	<b>Note</b>	<b>Estimated cost</b>
Bluebird Lane	.19	14	Plant mix	\$ 10,400.00
Boocille Lane	.16	14	Plant mix	\$ 8,775.00

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

Commissioner Black said work at Cedar Acres is being completed today. Hot patch will be applied to Holt Springer Road this week. Fielding Road should be finished soon.

Commissioner Harrison said block material is being applied on Guy Miller Road and patching various roads. He is looking for a low cost solution for a moving map system to use on the spray trucks.

Chairman Yarbrough told Mrs. Kyle he was sorry she has gone through so much with the water situation and hopefully this waterline approval will take care of it.



**MINUTES, LIMESTONE COUNTY COMMISSION, MAY 16, 2016**

Recessed at 10:49 a.m. until 10:00 a.m. on Wednesday, June 1, 2016, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.