

## MINUTES, LIMESTONE COUNTY COMMISSION, JANUARY 17, 2018

The Limestone County Commission met today, at 10:00 a.m. at the Clinton Street Courthouse Annex, 100 South Clinton Street, Athens, Alabama. This meeting was scheduled upon the call of the Chairman to take up the agenda and business originally set for January 16 at 10:00 a.m. as soon thereafter as possible as that meeting was cancelled due to inclement weather in Limestone County.

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 Ben Harrison and seconded by Steve Turner to approve the minutes of January 2 & 10, 2018.

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

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

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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 Community Relations Coordinator 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 the following resolution for the Medical Reimbursement Plan, \$250 for each qualifying employee, retiree, and elected official.

### RESOLUTION

**WHEREAS**, the Limestone County Commission, in keeping with its policy of providing the best possible benefits to its employees, retirees, and elected officials has elected to provide a Medical Reimbursement Plan for the benefit of its employees, retirees, and elected officials;

**NOW, THEREFORE, BE IT RESOLVED** by the Limestone County Commission that a Medical Reimbursement Plan shall be, and hereby is adopted, according to the following terms and conditions:

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- (a) All employees, retirees, and elected officials of Limestone County as of December 31, 2017, shall be eligible to receive a one-time payment in the amount of \$250.00.
- (b) To obtain payment, each qualifying employee, retiree, and elected official shall submit to the Limestone County Commission, during the month of January 2018 for payment in February 2018, an affidavit stating the out of pocket expenses for medical, dental, drug or prescription medicine, or vision expenses, including co-pays, not paid or reimbursed by the insurance or other third-party payer; for the employee and/or family members has been equal to or exceeds \$250.00 during the year of 2017.
- (c) Each eligible employee, retiree, and elected official shall be reimbursed under the Medical Reimbursement Plan to the extent of \$250.00 on the basis of such statement of claim submitted.
- (d) Any eligible employee, retiree and elected official not having a total of \$250.00 in such expenses shall be reimbursed under this Plan to the extent of expenses claimed, and shall be compensated as additional wages for difference to the extent of \$250.00 total.

Notice of this Resolution and time to submit claims shall be forthwith distributed to all eligible county employees, retirees, and elected officials.

Adopted this 17<sup>th</sup> day of January 2018

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Mark Yarbrough, Chairman

The Chairman asked if there was any discussion. There was no discussion. The Community Relations Coordinator 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 Steve Turner to approve the following resolution for an Economic Development Project Tax Abatement.

### RESOLUTION

WHEREAS, the Limestone County Commission is the governing body of Limestone County, Alabama (the "County"); and,

WHEREAS, the County acknowledges and finds that Toyota Motor North America, Inc., a California corporation (the "Company"), is planning the construction and equipping of a new facility in Huntsville, Limestone County, Alabama, for the manufacture of automobiles and engaging in related technologies (the "Project"); and,

WHEREAS, the County finds that the project will promote trade and commerce in the State of Alabama, and in Limestone County, Alabama; and,

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WHEREAS, the County is permitted under Title 40, Chapter 9B, of the Code of Alabama, 1975 (as amended), titled as the "Tax Incentive Reform Act of 1992" (the "Act"), to consent to the abatement of certain taxes permitted by said Act and Alabama law by a municipal industrial authority; and,

WHEREAS, the Industrial Development Board of the City of Huntsville, Alabama, as governed by its Board of Directors (collectively the "Board"), is such a municipal industrial authority; and,

WHEREAS, the Act permits the abatement of "Construction Related Transaction Taxes", "Non-educational Ad Valorem Taxes", and "Mortgage and Recording Taxes" as such terms are defined under the provisions of the Act and as might be imposed by the County with respect to the Project; and,

WHEREAS, the County has determined that in order to induce the Company to move forward with the project it is desirable and appropriate for the County to consent to and authorize the granting of said abatements by the Board; and,

WHEREAS, upon motion having been duly made by Commissioner Jason Black and seconded by Commissioner Steve Turner, with discussion having been had thereon and a vote having been taken, upon which vote said motion carried by the vote of 4 to 0; in favor;

BE IT HEREBY RESOLVED that pursuant to the provisions of the herein referenced Tax Incentive Reform Act of 1992 the County hereby consents to and authorizes the granting of an abatement to the Company by the Board of construction related transaction taxes, non-educational ad valorem taxes, and mortgage and recording taxes imposed by the County with respect to the Project to the fullest extent allowed under the said Act, including, without limitation, the abatement of non-educational ad valorem taxes imposed by the County for years 11 through 20 of the Maximum Exemption Period as defined in the Act; and,

BE IT HEREBY FURTHER RESOLVED that the Chairman of the Limestone County Commission and the County Administrator shall be authorized and directed to execute, deliver, seal and attest such other ancillary documents and certificates as may be necessary to further, perform, and affect the actions herein resolved with the Chairman's and/or County Administrator's signatures thereon being conclusive evidence of the due exercise of this authority.

ADOPTED AND APPROVED this 17<sup>th</sup> day of January 2018.

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Mark Yarbrough, Chairman  
Limestone County Commission

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ATTEST:

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Pam Ball, County Administrator

The Chairman asked if there was any discussion. There was no discussion. The Community Relations Coordinator 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 Jason Black to approve the following resolution.

**RESOLUTION CONSENTING TO ACQUISITION OF REAL PROPERTY  
BY THE CITY OF HUNTSVILLE IN LIMESTONE COUNTY**

WHEREAS, the Limestone County Commission is the governing body of Limestone County, Alabama, ("County"); and,

WHEREAS, pursuant to the authority and provisions of Amendment 759 to the Constitution of Alabama of 1901, as amended ("Amendment 759"), the City of Huntsville, Alabama ("the City"), proposes to acquire certain real property located within the corporate limits of the City and also lying in Limestone County as more particularly described on Exhibit A hereto (the "Property"), for use pursuant to the purposes of Amendment 759, including, without limitation, as an industrial site; and,

WHEREAS, Amendment 759 is applicable to Madison County, Alabama, and all municipalities located therein, with the City being located in Madison County, Alabama; and,

WHEREAS, the City has requested that the County Commission consent to the acquisition of the Property by the City; and,

WHEREAS, the County Commission has determined that consent should be given to the City for the acquisition of the said real property for such purposes; and,

WHEREAS, upon motion having been duly made by Commissioner Ben Harrison, and seconded by Commissioner Jason Black, with discussion having been had thereon and a vote having been taken, upon which vote said motion carried by the vote of 4 to 0 in favor;

BE IT HEREBY RESOLVED that the County does hereby consent to and approve the acquisition of the property by the City for use as an industrial site with this consent being given pursuant to and solely for the purposes of Amendment 759; and,

BE IT HEREBY FURTHER RESOLVED that the Chairman of the Limestone County Commission, the County Administrator, and any other such officials of the

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County as may be necessary, shall be authorized and directed to do and perform or cause to be done or performed in the name of and on behalf of the County such other acts, and to execute, deliver, file and record such other instruments, documents, certificates, notifications and related documents, if any, as may be required by law or necessary or desirable to carry out the actions and purposes herein resolved; and,

BE IT HEREBY FURTHER RESOLVED that any prior actions taken or agreements made or documents executed by any County officials or agents on their behalf in connection with the transactions herein authorized and consented to are hereby ratified and confirmed; and,

BE IT HEREBY FURTHER RESOLVED that the matters herein resolved shall take effect immediately upon its adoption.

ADOPTED AND APPROVED this 17<sup>th</sup> day of January 2018.

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Mark Yarbrough, Chairman  
Limestone County Commission

ATTEST:

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Pam Ball, County Clerk/Administrator

The Chairman asked if there was any discussion. There was no discussion. The Community Relations Coordinator 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 Ben Harrison to approve the following resolution to approve Condemnations for East Limestone Road Project.

**A RESOLUTION APPROVING THE CONDEMNATION AND/OR  
ACQUISITION OF PROPERTY IN LIMESTONE COUNTY, ALABAMA,  
FOR THE EAST LIMESTONE ROAD WIDENING PROJECT**

WHEREAS, the Limestone County Commission is the governing body of Limestone County, Alabama; and,

WHEREAS, the Limestone County Commission, as the governing body of Limestone County, Alabama, has the power of eminent domain in regard to roads and bridges within the County; and,

WHEREAS, the Limestone County Commission has determined that the obtainment of certain real property is necessary for a road widening project along East Limestone Road; and,

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WHEREAS, the said project has been determined by the Commission to be in the interests of the public; and,

WHEREAS, in the judgment and opinion of the Limestone County Commission it is the public interest and necessary and expedient that the County acquire certain parcels of land for said projects, which parcels and projects are more particularly described on Exhibits "A", "A-1", "A-2", "A-3", "A-4", "A-5", and "A-6" attached hereto: and,

WHEREAS, upon motion having been made by Commissioner Steve Turner, and seconded by Commissioner Ben Harrison, with discussion had thereon and a vote having been taken, upon which vote the said motion carried by a vote of 4 to 0 in favor;

THEREFORE, BE IT RESOLVED by the Limestone County Commission, that Chairman of the Limestone County Commission be and is hereby authorized, empowered, and directed to cause a legal description to be prepared for the above stated properties to be obtained and to obtain said properties as described by agreement and voluntary conveyance, or condemnation, and, in the furtherance thereof, the Chairman of County Commission shall be authorized, empowered, and directed to attempt to acquire the said properties for said project and aforesaid purposes at a fair and reasonable price in accordance with §18-1A-22 of the *Code of Alabama*, as amended; and,

BE IT FURTHER RESOLVED that any prior acts taken by the Limestone County Commission or its officials and agents up to and including the County Engineer, Engineering Department, and anyone acting on behalf of the County or its Engineering Department, toward the description and acquisition of the said property and any appraisals for same as part of an eminent domain process are hereby ratified; and,

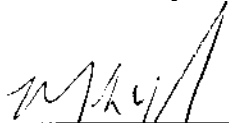
BE IT FURTHER RESOLVED that in the event an agreement may not be reached for the purchase of said properties from the foregoing owners or any other owners or interests which may be hereafter identified, or in the event of any other failure acquire said properties for the purposes aforesaid by purchase from any such owners, Chairman of the County Commission is hereby authorized to engage the law firm of Wilmer & Lee, PA, to file and conduct condemnation proceedings on behalf of the Limestone County Commission for the acquisition of said properties by the exercise of the right of eminent domain; and,

BE IT FURTHER RESOLVED that the Chairman of the Limestone County Commission and its Administrator shall be authorized to execute any and all documents instruments that may be necessary to further and complete the foregoing acquisitions and any eminent domain proceedings herein resolved, up to and including, but not limited to, issuing payment for the acquisition of said property as may be determined by an appraisal for same and/or an agreement with any such owners, or as may be awarded and/or ordered as part of any condemnation proceedings in an appropriate court.

The authority granted herein shall be in force and effect immediately upon adoption and passage of this Resolution.

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ADOPTED AND APPROVED this 17th day of January, 2018.



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**Mark Yarbrough, Chairman**  
**Limestone County Commission**

The Chairman asked if there was any discussion. There was no discussion. The Community Relations Coordinator 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 Stanley Hill to approve the following budget revision:

<b>Department</b>	<b>Account Number</b>	<b>Title of Line Item</b>	<b>Amount</b>
County Commission (Maintenance Dept.)	001-61220	Comp. Loss of Fixed Assets	-\$ 16,000.00
	001-35910	Beginning Fund Balance	-\$ 9,000.00
	001-51100-550	Motor Vehicle	+\$ 25,000.00

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

**MOTION** was made by Stanley Hill and seconded by Steve Turner to approve to hire William Austin Morell as a Corrections Officer, pending drug screening.

The Chairman asked if there was any discussion. There was no discussion. The Community Relations Coordinator 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 Family Medical Leave for Blake Allison beginning March 19, 2018 and ending March 30, 2018.

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

**MOTION** was made by Ben Harrison and seconded by Jason Black to approve to hire Hope Beaty as a License Tag Clerk.

The Chairman asked if there was any discussion. There was no discussion. The Community Relations Coordinator 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 Ben Harrison and seconded by Jason Black to approve the following subdivisions:

<b>Name</b>	<b>S/D Type</b>	<b>Approval Type</b>	<b>Lots</b>	<b>District</b>	<b>Location</b>
Houston Lane replat	Minor	Preliminary & Final	2	3	North of Huntsville Brownsferry Rd & Gary Redus Drive intersection
Lackey Estate Subdivision	Minor	Preliminary & Final	7	4	Intersection of Quinn Road & Carter Circle
J. Barney Griffin Estate Subdivision	Minor	Preliminary & Final	2	4	On Easter Ferry Road north of Witty Mill Road
Lydia Corey Place Phase 2 - replat	Minor	Preliminary & Final	2	4	On Lydia Corey Road ¼ mile south of O'Neal Road

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

Chairman Mark Yarbrough, presiding, opened the public hearing to receive comments relative to the proposed action to vacate a portion of undeveloped right of way between Mooresville Road and Oliver Road.

No one spoke in opposition

**MOTION** was made by Stanley Hill and seconded by Jason Black to approve the following resolution to vacate a portion of undeveloped right of way between Mooresville Road and Oliver Road.

**RESOLUTION**

**WHEREAS**, a portion of **undeveloped right of way located between Mooresville Road and Oliver Road**, more particularly described as beginning along the E right of way line of Mooresville Road 505' N of Oliver Road Intersection and extending E approximately 320' to the W right of way line of Oliver Road as platted in the Westview Subdivision as recorded in Plat Book D, Page 55 in the Office of the Judge of Probate of Limestone County, Alabama; this portion of unnamed ROW is not in use by the general public, and

**WHEREAS**, the Limestone County Commission finds it in the public interest to vacate said portion of unnamed ROW between Mooresville Road and Oliver Road, and

**WHEREAS**, the proposed vacation of said portion of unnamed ROW between Mooresville Road and Oliver Road has been duly advertised four consecutive weeks (December 23 & 30, 2017 and January 6 & 13, 2018) in the News-Courier, a newspaper of general circulation in Limestone County, and



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**WHEREAS**, the adjoining property owner, Jimmy Butler, Howard Gates, William Summers & Doris Oliver have been notified of the proposed vacation and Public Hearing concerning the vacation of said portion of unnamed ROW between Mooresville Road and Oliver Road, and

**WHEREAS**, the vacation of said portion of unnamed ROW between Mooresville Road and Oliver Road will not deprive any owner of any right to convenient and reasonable means of ingress and egress, and

**WHEREAS**, a Public Hearing was held on Tuesday, January 16, 2018 at 10:00 AM at the Clinton Street Annex of the Limestone County Commission,

**THEREFORE, BE IT RESOLVED** that the portion of unnamed Row located between Mooresville Road and Oliver Road, more particularly described as beginning along the E right of way line of Mooresville Road 505' N of Oliver Road Intersection and extending approximately 320' to the W right of way line of Oliver Road as platted in the Westview Subdivision as recorded in Plat Book D, Page 55 in the Office of the Judge of Probate of Limestone County, Alabama, is hereby vacated in accordance with the Code of Alabama 1975 §23-4-1 and §23-4-2.

Done this 17<sup>th</sup> day of January 2018

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Mark Yarbrough, Chairman

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Stanley Hill, District 1

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Steve Turner, District 2

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Jason Black, District 3

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Ben Harrison, District 4

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

Each commissioner reported on icy road conditions in their districts.

Commissioners and Chairman welcomed the Toyota-Mazda manufacture to Limestone County.

Chairman Yarbrough thanked everyone for coming to the meeting today, even though County offices are closed due to the weather.

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Recessed at 10:16 a.m. until 10:00 a.m. on Wednesday, January 31, 2018, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.