

MINUTES, LIMESTONE COUNTY COMMISSION, NOVEMBER 2, 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.

The meeting began with the Pledge of Allegiance.

MOTION was made by Stanley Hill and seconded by Jason Black to approve the minutes of October 19 & 28, 2015.

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 Ben Harrison to approve the following claims

10/16/15	Check # 35271 – 35349	\$ 744,419.50
10/22/15	Check # 35350 – 35405	\$ 190,630.26
10/23/15	Check # 35406 – 35417	\$ 115,150.04
10/30/15	Check # 35418 – 35523	\$1,484,977.88
10/30/15	Check # 35524	\$ 1,000.00
10/30/15	Check # 35525	<u>\$ 11,875.00</u>
	TOTAL	\$2,548,052.68

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. Steve Turner, aye; Ben Harrison, aye; Stanley Hill, aye; and Jason Black, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by Steve Turner to approve the following resolution to change the November 11th work session.

**RESOLUTION OF
LIMESTONE COUNTY COMMISSION**

WHEREAS, Limestone County Commission holds its' Work Sessions on the Wednesday before a regular scheduled Commission meeting.

WHEREAS, said meetings are held at the Washington Street Courthouse Annex at 10 a.m.

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BE IT RESOLVED, by the Limestone County Commission to change the Work Session scheduled for Wednesday, November 11, 2015 to Thursday, November 12, 2015, due to observance of Veterans Day.

ADOPTED on this 2nd day of November 2015.

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 Ben Harrison and seconded by Jason Black to authorize the Chairman to execute the following resolution to allow the Limestone County Bar Association to place a statue of Judge James Horton on the grounds of the Limestone County Courthouse.

RESOLUTION

WHEREAS, the Honorable Judge James E. Horton, Jr., has long been recognized for his just, but then unpopular decision in the "Scottsboro Boys" case on June 22, 1933, to grant a motion for a new trial on the grounds that the conviction for rape was not supported by the evidence, which decision has further long been memorialized by a plaque in the Circuit Courtroom of the Limestone County Courthouse mounted for public display shortly after Judge Horton's death in March 1973; and,

WHEREAS, the Limestone County Commission has received a resolution and request of the Limestone County Bar Association to extend the recognition of Judge James E. Horton, Jr., beyond said plaque to the placement of a statue upon the grounds of the Limestone County Courthouse, preferably its west side; and,

WHEREAS, the request and expense of the creation of the statue will require no financial commitment or contribution of the Limestone County Commission; and,

WHEREAS, a motion was made by Commissioner Ben Harrison and seconded by Commissioner Jason Black, with discussion and a vote having been conducted thereon, with said vote being 4 to 0 in favor thereof, the motion carried.

THEREFORE, BE IT HEREBY RESOLVED that the Limestone County Bar Association and/or the judges of the Judicial Circuit for Limestone County, Alabama, shall be permitted to place a statue in further recognition of Judge James E. Horton, Jr., upon the grounds of the Limestone County Courthouse.

APPROVED this 2nd day of November, 2015.

Mark Yarbrough, Chairman
Limestone County Commission

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ATTEST:

Pam Ball, County Administrator
Limestone County Commission

The Chairman asked if there was any discussion. Commissioner Ben Harrison said, "It was clear from the evidence presented by the defense and the lack of corroborating testimony of Victory Prices' claims that not only Haywood Patterson but all nine men were innocent. What should have resulted in a clear cut acquittal resulted in guilty verdicts and death sentences due to the racial hatred and bigotry. Were it not for the courageous and principled actions of Judge Horton in setting aside the verdict and ordering a new trial surely all would have been executed or sentenced to life in prison. As it were, they served sentences varying from 6 to 19 years in some of Alabama's worst institutions. Their lives were severely altered. Only in 2013 were the last of the Scottsboro boys posthumously pardoned. I honor Judge Horton for he stood on principle and against injustice. It cost him the judgeship and could very well have cost him his life. We need to hold up to ourselves and to our children examples like Judge Horton, for if we don't produce more men and women like him, we risk being ruled by the tyranny of the majority. I commend the bar association for honoring Judge Horton by erecting a statute of him on the Courthouse square and wish to aid that effort by passing this resolution." The Administrator 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 contract with the Alabama Department of Corrections for Community Corrections Program to reimburse funds for qualified offenders \$10 per day for FY 2016, not to exceed \$120,150.00.

Community Corrections Program Contract

**The Limestone County Community Corrections Program
Federal or Employer Identification Number 63-6001607**

This contract is entered into by and between the Alabama Department of Corrections (hereinafter referred to as the "ADOC") and the Limestone County Community Corrections Program (hereinafter referred to as the "Program"). The Parties agree as follows:

1. The ADOC has provided an allocation of \$120,150 for reimbursement funding of qualified offenders at a rate of \$10 per day for FY20 16. Any additional allocation will be made based on available funding as determined by the ADOC Community Corrections Division Director.

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2. The Program expressly agrees that any funds available for disbursement or paid for reimbursement of supervision under this Contract is done so at the total discretion of the Commissioner of the Department and/or contingent upon available Community Corrections funding appropriated by the Alabama State Legislature.
3. The Program hereby agrees to the following terms and conditions:
 - Compliance with the Community Punishment and Corrections Act of 1991- Alabama Code Section 15-18-170, et al, as amended in 2003; the ADOC Community Corrections Program Minimum Standards; and the ADOC Administrative Regulation 409, Community Corrections Program.
 - Incorporate evidence-based practices, to the maximum extent possible, when supervising, treating, or providing for the treatment of offenders.
 - Provide particular treatment and supervision based on the offender's risk of reoffending through utilization of the Alabama Risk Assessment System (ARAS) and the Community Corrections Offender Contact and Supervision Matrix.
 - Ensure strict compliance with the approved Community Corrections Plan and adhere to all CCP related directives issued by ADOC.
 - Review the monthly invoice for accuracy and completeness prior to submission to ADOC.
 - Participate in ADOC Program Evaluations, Program Assessments, and Data Collection.
 - Establish and maintain a good working relationship with the ADOC, Judges, District Attorney, and local Bar Association, Circuit Clerk, Sheriff, and other local Law Enforcement agencies. Encourage and promote the growth and expansion of Community Corrections.
4. It is agreed that the terms and commitments contained herein shall not be constituted as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this contract shall contravene any statute of Constitutional provision or amendment, either now in effect or which may, during the course of this contract, be enacted, then that conflicting provision in the contract shall be deemed null and void.
5. The Program's sole remedy for the settlement of any and all monetary disputes arising under the terms of this agreement shall be limited to the filing of a claim with the Board of Adjustment for the State of Alabama. For all other disputes

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arising under the terms of this Agreement, the Parties hereto agree, in compliance with the recommendations of the Governor and Attorney General, when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through the Attorney General's Office of Administrative hearings or, where appropriate, private mediators. Nothing in this Agreement shall be deemed a waiver of any immunity guaranteed the ADOC under Federal or State law.

6. The Program understands and agrees that none of its employees, agents, volunteers, etc., will be subject to the provisions of, or entitled to the benefits of, the State Merit System Law as a consequence of this contract.
7. The Program agrees to abide by ADOC Administrative Regulation 490, entitled "Community Corrections Programs," and all related Community Corrections policies and procedures. The Program fully understands that any noncompliance with said regulation or policies may be grounds for termination of this contract.
8. Pursuant to Alabama Code Section 14-11-31, as well as 28 C.F.R. Part 115, the Prison Rape Elimination Act ("PREA"), any type of sexual contact with or sexual harassment of an inmate in the custody of the ADOC by an employee of a contractor or subcontractor of the ADOC who is responsible for the care, control, or supervision of inmates - with or without the consent of the inmate - is illegal. Under Alabama law, it constitutes a felony - custodial sexual misconduct. See also, ADOC Administrative Regulation 454, Inmate Sexual Offenses and Custodial Sexual Misconduct. The ADOC has a Zero Tolerance Policy toward all forms of custodial sexual misconduct, sexual abuse, and sexual harassment. Any type of conduct - including suspected conduct that falls within the context of custodial sexual misconduct/sexual abuse, as defined by either the state or federal laws referenced above, shall be reported immediately to the Director of the Community Corrections Division of the ADOC, or his designee.
9. The Program shall fully comply with all State, Federal, or local laws, ordinances, orders, and regulations of any lawful authority having jurisdiction, including the Beason-Hammon Alabama Taxpayer and Citizen Protection Act as amended. By signing this contract, the contracting parties affirm, for the duration of this 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.
10. This contract shall begin on the date of the last signature below, and continue for one year. Thereafter, it may be renewed under the same terms and conditions upon mutual agreement of the Parties.

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11. The parties agree that this Contract as well as the Community Corrections Plan constitute the entire agreement of the parties. Any changes, amendments, or renewals must be in writing and signed by both parties to be valid.

Jefferson S. Dunn
Commissioner

Date: _____

Tony Graviet, Director
Limestone County Community Corrections Program

Date: November 2, 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 Steve Turner to award the following bid proposals to the lowest responsible bidder meeting specifications as follows:

Proposal No.	Item	Awarded To	Amount
2553	Sanitary Supplies (Nov. 4, 2015 until Nov. 4, 2016)	American Paper & Twine	Overall \$938.70 Catalog 20% off
2554	Dispatch & Jail Uniforms (Nov. 2, 2015 until Nov. 2, 2016)	NAFECO	\$204.75 all sizes

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 Stanley Hill and seconded by Jason Black to approve Family Medical Leave for Emily Sandlin beginning October 14, 2015 until January 6, 2016.

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. The Chairman congratulated Emily Sandlin and her husband on the arrival of their baby boy.

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

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Name	Position	Effective Date	Current Rate Per Hour	New Rate Per Hour
Robert Terry Boyd, Jr.	Engineering Foreman	11/21/15	23.62	24.36
Jason Carter	Equipment Operator III	11/02/15	24.58	25.35
Elizabeth Clark	Recording Clerk II	11/14/15	17.79	18.35
Comilla Regina Craig	Administrative Clerk	11/02/15	22.94	23.66
Bill Daws	Work Release Director	11/19/15	19.34	19.95
Jennifer Easter	Assessment Clerk	11/09/15	15.83	16.33
Judith Harvey	Chief Appraiser	11/08/15	26.53	27.37
Joshua James	Corrections Officer	11/07/15	15.83	16.33
Wendy Johnston	Recording Clerk	11/30/15	16.62	17.14
Jacob Lamar	Corrections Officer	11/01/15	15.83	16.33
Theresa Marlin	Tax Collection Clerk	11/01/15	15.83	16.33
Jacquelin McNatt	Corrections Officer	11/01/15	20.91	21.57
Carey Miles	Extradition Officer	11/14/15	24.01	24.77
Dannie Miller	District 2 Foreman	11/08/15	24.36	25.13
Zebadiah Roberson	Corrections Officer	11/18/15	15.83	16.33
Jacob Rupp	Corrections Officer	11/01/15	19.06	19.66
Pat Ryan	Corrections Officer	11/03/15	16.84	17.37
Emily Sandlin	Council on Aging Director	11/07/15	28.83	29.73
Jeff Sides	Corrections Officer	11/25/15	15.98	16.48
Fred Sloss III	Captain	11/16/15	36.92	38.08
Paula Thompson	Assessment Clerk	11/24/15	15.83	16.33
Dale Townsend	Deputy	11/23/15	28.91	29.81

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 Steve Turner and seconded by Jason Black to remove the following from inventory:

Department	Item	Inventory #
Information Technology	Solarwinds Software	18855

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

Commissioner Stanley Hill said when the weather breaks construction will begin on a safe room at Wooley Springs to hold approximately 200 people.

Commissioner Steve Turner discussed a speed limit change for the next meeting.

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Commissioner Jason Black discussed setting up a meeting with Keenum Construction regarding the Huntsville Brownsferry Road and Ezell Road paving projects.

Commissioner Ben Harrison said he talked with Assistant County Engineer Marc Massey regarding cement stabilization for Christopher Road.

Recessed at 10:18 a.m. until 10:00 a.m. on Thursday, November 12, 2015, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.