

**MINUTES
TALLADEGA COUNTY COMMISSION
SEPTEMBER 14, 2015**

STATE OF ALABAMA)
)
COUNTY OF TALLADEGA)

BE IT REMEMBERED that on the 14th day of September, 2015, the Talladega County Commission assembled at the Talladega County Courthouse in the Commission Courtroom, it being the first regular meeting of September, 2015. The following proceedings were had to wit:

COMMISSION MEETING CALLED TO ORDER

Commissioner Kelvin Cunningham called the meeting to order at 6:00 p.m. The roll was called with the following Commissioners being present: Commissioner Jackie Swinford, Commissioner Tony Haynes, Commissioner Kelvin Cunningham, Commissioner Malley Limbaugh and Commissioner Greg Atkinson. A quorum was present.

The news media was represented by The Daily Home and Shoot First Video on behalf of TV47. Judge Billy Atkinson gave the invocation.

ADOPT AMENDED AGENDA

Chairman Kelvin Cunningham asked if there were amendments to the Agenda. A motion was made by Commissioner Tony Haynes to amend the agenda to add Item B.1 "Surplus Vehicle for Sheriff's Department," and seconded by Commissioner Greg Atkinson.

PRESENTATION AND UNVEILING OF PORTRAIT OF JUDGE MCAFEE

Ms. Eileen Meglio provided a history and portrait unveiling of Judge Green Taliaferro McAfee, the first Probate Judge of Talladega County.

APPROVE MINUTES OF AUGUST 24, 2015

Commissioner Malley Limbaugh made a motion to approve the minutes of August 24, 2015 and seconded by Commissioner Tony Haynes. Commissioner Greg Atkinson abstained. Motion carried.

REQUEST APPROVAL FOR CHAIRMAN TO SIGN AND COMMISSION APPROVE AGREEMENT WITH ES&S FOR HOSTING SOFTWARE THROUGH WEBSITE

County Administrator Pat Lyle requested approval for the Chairman to sign and the Commission approve a 5-year term agreement with ES&S for hosting software through the County's website to allow voters of Talladega County to access a sample ballot in relation to their street address. The County will be reimbursed by the State for one-half of election expenses. Commissioner Greg Atkinson made a motion to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

APPROVE SURPLUS VEHICLE BY SHERIFF'S DEPARTMENT

County Administrator Pat Lyle requested Commission approval to surplus a 2004 Gray Ford Expedition which is no longer serviceable and donate to the District Attorneys' Office for use by an investigator. Commissioner Malley Limbaugh made a motion to approve and seconded by Commissioner Tony Haynes. Motion carried.

OPENING OF CUSTODIAL BIDS

County Administrator Pat Lyle opened the following custodial bids:

Center Paper Co.
140 W. Oxmoor Road
Birmingham, AL 35209

Brannon's
P.O. Box 497
Talladega, AL 35161

A request was made to table bids for the September 28, 2015 Commission meeting to allow time to review and recommend an award. Commissioner Greg Atkinson made a motion to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

AWARD FOOD, MILK AND BREAD FOR JAIL

Vivian Nix, Dietician for the Jail requested Commission approval to award the following bids:

Food -	Osborn Brothers
Bread -	Flowers Baking Company
Milk -	Barbers Dairy

Commissioner Tony Haynes made a motion to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

APPROVE MOTION TO RESCIND COFFEE BID

County Administrator Pat Lyle requested Commission approval to rescind the invitation to bid directed to Red Diamond for coffee, as it was determined that it did not meet the threshold requiring a formal bid. Commissioner Tony Haynes made a motion to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

APPROVE AMENDMENT TO HEALTH SERVICES AGREEMENT BETWEEN QCHC, INC. AND TALLADEGA COUNTY

County Administrator Pat Lyle requested the Chairman sign and Commission approve an Amendment to the Health Services Agreement between QCHC and Talladega County Jail to extend for an additional one-year term expiring September 30, 2016. This agreement was approved by the County Attorney. A motion was made by Commissioner Greg Atkinson to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

APPROVE AGREEMENT WITH MONTGOMERY TECHNOLOGY SYSTEMS, LLC

County Administrator Pat Lyle requested the Chairman to sign and the Commission approve a service agreement with Montgomery Technology Systems covering Fiscal Year 2016. This company maintains the electronic systems at the Talladega County Jail. The agreement is identical to the last one except for the effective dates. A motion was made by Commissioner Tony Haynes to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

APPROVE WATERSHED STRUCTURE IMPROVEMENT SURVEY

County Engineer Tim Markert requested approval for the County Engineer to sign and Commission approve the Watershed Structure Improvement Survey allowing participation in the mowing program. A motion was made by Commissioner Tony Haynes to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

APPROVE AGREEMENT WITH DIVERSIFIED COMPUTER SERVICES FOR THE CIMS USER LICENSE AGREEMENT FOR FISCAL YEAR 2016

County Engineer Tim Markert requested approval to sign and Commission approve an agreement between Diversified Computer Services and Talladega County Highway Department for the rights to use the CIMS licensed software FY 2016. A motion was made by Commissioner Malley Limbaugh to approve and seconded by Commissioner Greg Atkinson. Motion carried.

OPEN HIGHWAY DEPARTMENT BIDS

The following bids were received and opened:

BRIDGE TIMBER

Ergon Asphalt & Emulsions, Inc.
7890 Birmingham Road
Mulga, AL 35118

Jim's Asphalt, LLC
PO Box 583
Gadsden AL 35902

Blacklidge Emulsions, Inc.
12251 Bernard Parkway Suite 200
Gulfport, MS 39503

GASOLINE AND DIESEL FUEL

R.K. Allen Oil Co.
36002 AL Hwy 21
Talladega AL 35160

BRIDGE TIMBER

Stringfellow Lumber Co.
PO Box 100549
Birmingham, AL 35210

GREASE AND OIL

WH Thomas Oil Co.
PO Box 890
Clanton AL 35045

ASPHALT PLANT MIX

Midsouth Paving Inc.
PO Box 385025
Birmingham AL 35238-5025

R.K. Allen Oil Co.
36002 AL Hwy 21
Talladega AL 35160

McCartney Construction Co., Inc.
PO Box 1890
Gadsden, AL 35902

COLD MIX

Advanced Asphalt Products
25601 Hwy 69
Jasper AL 35504

Dunn Construction Co, Inc.
3905 Messer Airport Hwy.
Birmingham, AL 35222

Material Resources, Inc
PO Box 1183
Port Allen, LA 70767

Calhoun Asphalt Co Inc.
PO Box 1890
Gadsden AL 35902

Jim's Asphalt, LLC
PO Box 583
Gadsden AL 35902

Dunn Construction Co, Inc.
3905 Messer Airport Hwy.
Birmingham, AL 35222

Calhoun Asphalt Co Inc.
PO Box 1890
Gadsden AL 35902

McCartney Construction Co., Inc.
PO Box 1890
Gadsden, AL 35902

Midsouth Paving Inc.
PO Box 385025
Birmingham AL 35238-5025

CONCRETE PIPE

Harvey Culvert Co Inc.
PO Box 259
Cleveland AL 35049

Hanson Pipe & Precast
380 Industrial Park Drive
Pelham AL 35124

HERBICIDE

Helena Chemical Co
PO Box 626
Selma AL 36702

Crop Production Services
PO Box 3293
Brookhaven MS 39603

Red River Specialties Inc.
1324 North Hearne Avenue
Suite 120
Shreveport, LA 71107

CRUSHED AGGREGATE

Vulcan Materials Company
PO Box 370
Trinity AL 35673

Calhoun Asphalt Co Inc.
PO Box 1890
Gadsden AL 35902

McCartney Construction Co., Inc.
PO Box 1890
Gadsden, AL 35902

Midsouth Paving Inc.
500 Riverhills Business Park Suite 590
Birmingham AL 35242

METAL PIPE

Harvey Culvert Co Inc.
PO Box 259
Cleveland AL 35049

Contech
101 Yorkshire Drive
Homewood AL 35209

RAILROAD LEGENDS & STOP BARS

Highway Management Systems
1110 Hwy 31 South
Calera AL 35040

Ozark Striping Co Inc.
PO Box 847
Ozark, AL 36361

Mr. Markert requested Commission approval to table the bids for the next Commission meeting to provide the opportunity to review and award bids. A motion was made by Commissioner Greg Atkinson to approve and seconded by Commissioner Tony Haynes.

REJECT BIDS FOR IN-PLACE ASPHALT

County Engineer Tim Markert requested Commission approval to reject the bids for in-place asphalt due to the invitations submitted were incorrect. A motion was made by Commissioner Malley Limbaugh to approve and seconded by Commissioner Greg Atkinson. Motion carried.

REQUEST TO REBID FOR IN-PLACE ASPHALT

County Engineer Tim Markert requested Commission approval to rebid for in-place asphalt to be opened at the next Commission meeting. A motion was made by Commissioner Tony Haynes and seconded by Commissioner Malley Limbaugh. Motion carried.

APPROVE APPOINTMENT OF SAFETY COORDINATOR FOR TALLADEGA COUNTY

County Administrator Pat Lyle stated that the ACCA requires that each County appoint a safety coordinator to receive a substantial discount in insurance costs. We are requesting approval to appoint Travis McGrady as the safety Coordinator. A copy of the proposed Resolution is included in the packet. A motion was made by Commissioner Tony Haynes to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

APPROVE NOMINATIONS TO BOARD OF EQUALIZATION

County Administrator Pat Lyle stated that the State requires that each County nominate three persons for consideration as members of the County Board of Equalization. One member of the Board will be chosen from the list. Ms. Lyle requested the Commission approve Greg Tubbs, Ruth Helen Deese and Sidney Fomby. A motion was made by Commissioner Greg Atkinson to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

APPROVE APPLICATION FOR CLAIM FOR REFUND OF EXCESS BID

County Administrator Pat Lyle stated that this matter relates to a claim made to the County to return excess funds from a 2011 tax sale on property in Lincoln. A motion was made by Commissioner Malley Limbaugh and seconded by Commission Greg Atkinson to deny the claim. Motion carried.

APPROVAL TO ENTER INTO LEASE AGREEMENT FOR UPGRADED COPIER IN REVENUE DEPARTMENT

County Administrator Patricia Lyle requested Commission approval for the Revenue Department to replace its present copier with a new copier for a savings of \$29.78 per month. A motion was made by Commissioner Tony Haynes to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

**APPROVE CHAIRMAN TO SIGN RESOLUTION FOR
MATCHING FUNDS FOR DOMESTIC VIOLENCE GRANT**

County Administrator Pat Lyle requested the Commission authorize the Chairman to sign the application for funding through ADECA for the Domestic Violence Unit. The funding has been budgeted. A motion was made by Commissioner Greg Atkinson to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

**APPLICATION TO TRANSFER ABC LICENSE TO
SERENE INTERNATIONAL LLC D/B/A COLDWATER FRIENDLY STOP**

Commissioner Jackie Swinford stated a request was made for approval of a notice of transfer of ABC license from Camelot Enterprises, Inc. to Serene International LLC, trade name being Coldwater Friendly Stop, 596 Pribes Mill Road, Oxford, AL 36203, for a 050 Retail Beer (off premises only) and 070 Retail Table Wine (off premises only). A motion was made by Commissioner Jackie Swinford to approve and seconded by Commissioner Tony Haynes. Motion carried.

APPROVE AMENDED ABATEMENT OF HONDA MANUFACTURING OF ALABAMA, LLC

County Administrator Pat Lyle stated that Honda Manufacturing of Alabama, LLC has requested approval of an Amended and Restated Tax Abatement Agreement relating to a \$70,730,000 expansion project related to a production of DI engines. This expansion project would create 20 new jobs with an approximate completion date in April 2016. A motion was made by Commissioner Greg Atkinson to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

APPROVE SCHEDULE OF COMMISSION DATES FY 2016

County Administrator Patricia Lyle submitted a calendar of proposed commission meeting dates and work sessions FY 2016, with all meetings subject to change following proper notice. A motion was made by Commissioner Tony Haynes to approve and seconded by Commissioner Greg Atkinson. Motion carried.

CONFERENCE REQUESTS

County Administrator Patricia Lyle presented the conference requests for approval. A motion was made by Commissioner Tony Haynes to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

PERSONNEL CHANGES

County Administrator Patricia Lyle presented a summary of the personnel changes for Commission approval. A motion was made by Commissioner Malley Limbaugh to approve and seconded by Commissioner Tony Haynes. Motion carried.

EXPENDITURES

County Administrator Patricia Lyle presented the operational transfers and expenditures to the Commission for approval through September 14, 2015 for \$1,766,403.04. A motion was made by Commissioner Greg Atkinson to approve and seconded by Commissioner Tony Haynes. Motion carried.

ANNOUNCEMENTS

- Commissioner Kelvin Cunningham will have a garbage clean up on Saturday, September 26, 2015 at Tallassahatchie Baptist Church, 741 Kymulga Road in Childersburg from 8:00 a.m. to 4:00 p.m.
- The September 28, 2015 Commission work session and meeting will be held at the Sylacauga Municipal Complex, 301 N. Broadway Avenue, Sylacauga, Alabama in the City Council Chambers. The work session will begin at 5:00 p.m. followed by the commission meeting at 6:00 p.m.
- Commissioner Tony Haynes will have a garbage clean up on Saturday, October 10, 2015 at Stemley Volunteer Fire Station 1, 125 Rock Church Road, Talladega from 8:00 a.m. to 4:00 p.m.
- 15th Annual Statewide POW-MIA Black and White Banquet is September 26 at 7:00 p.m. at Shocco Springs Baptist Conference Center in Talladega
- The NAACP will sponsor a scholarship fundraiser banquet at the Regional Family Life Center on October 10, 2015 at 7:00 p.m.

EXECUTIVE SESSION

Chairman Kelvin Cunningham called on County Attorney Barry Vaughn. Mr. Vaughn requested the Commission convene to executive session to discuss potential litigation in dealing with the City of Lincoln police jurisdiction. Commissioner Greg Atkinson made a motion to convene to executive session and seconded by Jackie Swinford.

Mr. Vaughn stated the executive session would take approximately 30-45 minutes and would reconvene to either take action or adjourn the meeting. There was an unanimous roll call vote by all Commissioners to go to executive session. The executive session convened at 6:54 p.m. and ended at 7:27 p.m.

Chairman Cunningham reconvened the meeting at 7:27 p.m. and announced that no action would be taken.

MEETING ADJOURNED

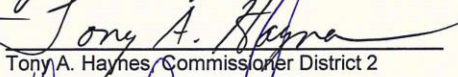
There was no further business for September 14, 2015 a motion to adjourn was made by Commissioner Tony Haynes and seconded by Commissioner Greg Atkinson. The meeting was adjourned at 7:28 p.m. Motion carried.



Jackie Swinford, Commissioner District 1



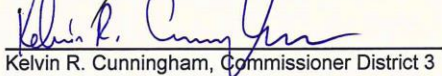
Malley Limbaugh, Commissioner District 4



Tony A. Haynes, Commissioner District 2



Greg Atkinson, Commissioner District 5



Kelvin R. Cunningham, Commissioner District 3