

**TALLADEGA COUNTY COMMISSION**

**MINUTES**

**September 12, 2016**

STATE OF ALABAMA        )  
  )  
COUNTY OF TALLADEGA    )

The Talladega County Commission assembled at the Talladega County Courthouse in the Commission Courtroom for the first regular meeting of September, 2016. The proceedings conducted are as follows:

**COMMISSION MEETING CALLED TO ORDER**

Chairman Kelvin Cunningham called the September 12, 2016 meeting to order at 6:12 p.m. and requested the commission secretary to call roll. Commissioner Jackie Swinford, Commissioner Tony Haynes, Commissioner Kelvin Cunningham, Commissioner Malley Limbaugh and Commissioner Greg Atkinson were present. A quorum was present.

The news media was represented by The Daily Home and Shoot First Video. Barry Vaughn gave the invocation.

**ADOPT AMENDED AGENDA**

Commissioner Tony Haynes made a motion to amend the Agenda to move Discussion Item "Kirksey Lane" to Action Item A. The motion was seconded by Malley Limbaugh. Motion carried.

**DISCUSSION ITEMS**

April Truss and Rodney Mosley addressed the Commission regarding a water drainage issue on Kirksey Lane and requested installation of a pipe for water to drain away from the road. County Engineer Tim Markert stated the County only maintained a portion of the road, but agreed to research the remaining portion. Commissioner Tony Haynes and the County Engineer will meet with Ms. Truss to determine if there is a solution.

**APPROVE MINUTES OF AUGUST 22, 2016**

Commissioner Greg Atkinson made a motion to approve the minutes of August 22, 2016 and seconded by Commissioner Malley Limbaugh. Motion carried. Commissioner Jackie Swinford abstained.

**APPROVE COUNTY ADMINISTRATOR TO SIGN AND COMMISSION APPROVE AGREEMENTS BETWEEN TALLADEGA COUNTY AND SPECTRUM BUSINESS AND CHARTER COMMUNICATIONS, INC, AND CERTAIN OF ITS AFFILIATES FOR FIBER CONNECTIVITY AND INTERNET SERVICE TO COUNTY BUILDINGS**

County Administrator Pat Lyle stated the County has experienced problems and interruptions with internet service in the past when conducting business from all County buildings. Presently

the County is operating under old technology and utilizing three separate vendors for repairs. Spectrum/Charter will run fiber optics and bandwidth to all county facilities and service all repairs. Although there is a cost increase, a commitment must be made to update service to benefit the County and its customers. The increase has been included in the FY2017 budget. Commissioner Malley Limbaugh made a motion to approve the agreement with Spectrum/Charter and seconded by Commissioner Greg Atkinson. Motion carried.

**OPEN JAIL BIDS FOR FOOD, NON-FOOD, MILK AND BREAD AND APPROVAL TO TABLE BIDS TO SEPTEMBER 26, 2016 COMMISSION MEETING**

Vivian Nix, Dietitian for the Jail, opened the following bids: Flowers Baking Co. of Birmingham, LLC for bread; Barber Milk, LLC for milk; Osbourn Brothers for food and non-food; and Red Diamond for food. Ms. Nix requested approval to table the bids for September 26, 2016 to allow time to review and make a recommendation for awards. A motion was made by Commissioner Tony Haynes to approve and seconded by Commissioner Jackie Swinford. Motion carried.

**OPEN MATERIAL BIDS FOR HIGHWAY DEPARTMENT AND APPROVAL TO TABLE BIDS TO SEPTEMBER 26, 2016 COMMISSION MEETING**

County Engineer Tim Markert opened the following bids:

**LIQUID ASPHALT**

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

**BRIDGE TIMBER**

No Bids

**ASPHALT PLANT MIX**

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

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

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

Calhoun Asphalt Co Inc.  
PO Box 1890  
Gadsden AL 35902

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

**GASOLINE AND DIESEL FUEL**

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

**GREASE AND OIL**

WH Thomas Oil Co.  
PO Box 890  
Clanton AL 35045

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

**COLD MIX**

Advanced Asphalt Products  
25601 Hwy 69  
Jasper AL 35504

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

**HERBICIDE**

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

**CRUSHED AGGREGATE**

Vulcan Materials Company  
237 Limestone Drive  
Helena AL 35080

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

**IN-PLACE ASPHALT PLANT MIX BID**

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

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

**CENTERLINE AND EDGE  
LINE PAINT STRIPE**

Highway Management Systems  
1110 Hwy 31 South  
Calera AL 35040

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

**SIGN POSTS, ALUMINUM SIGN  
BLANKS AND FINISHED SIGNS**

Traffic Signs, Inc.  
850 Whites Gap Road S.E.  
Jacksonville, AL 36265

Custom Products Corp  
PO Box 54091  
Jackson, MS 39288-4091

Vulcan Signs  
PO Box 1850  
Foley, AL 36536-1850

**IN-PLACE CEMENT**

No Bids

Mr. Markert requested approval to table the bids for September 26, 2016 to allow time to review and make recommendation for awards. A motion was made by Commissioner Jackie Swinford to approve and seconded by Commissioner Tony Haynes. Motion carried.

**APPROVE RECOMMENDATION TO AWARD  
EQUIPMENT BID TO CABANISS FEED & FARM SUPPLY**

County Engineer Tim Markert recommended awarding equipment bid to Cabaniss Feed and Farm Supply for the 7' mechanical 540 RPM rotary cutter for \$3,884.00, and four 15' mechanical 540 RPM rotary cutters at the negotiated price of \$12,000 each. A motion was

made by Commissioner Tony Haynes to approve and seconded by Commissioner Jackie Swinford. Motion carried.

**APPROVE REQUEST FOR COUNTY ENGINEER TO SIGN AND COMMISSION APPROVE AGREEMENT BETWEEN TALLADEGA COUNTY HIGHWAY DEPARTMENT AND DIVERSIFIED COMPUTER SERVICES FOR USE OF CIMS LICENSES SOFTWARE EFFECTIVE OCTOBER 1, 2016**

County Engineer Tim Markert requested approval for him to sign and the Commission approve the agreement with Diversified Computer Services for Use of CIMS Licenses Software effective October 1, 2016 and ending September 30, 2017. Commissioner Jackie Swinford made a motion to approve the agreement and authorize Tim Markert to sign, and seconded by Commissioner Tony Haynes. Motion carried.

**APPROVE COUNTY ENGINEER'S REQUEST TO ADD CHURCH LANE TO THE TALLADEGA COUNTY MAINTENANCE MAP**

County Engineer Tim Markert requested Commission approval to add Church Lane to the Talladega County maintenance map because the road had been maintained by the County in the last twenty years. Commissioner Jackie Swinford made a motion to approve and seconded by Commissioner Tony Haynes. Motion carried.

**APPROVE REQUEST FOR REAPPRAISAL DEPARTMENT TO SURPLUS A 2011 FORD F150 PICKUP AND TRANSFER TO THE GENERAL FUND FOR USE BY THE MAINTENANCE DEPARTMENT**

County Administrator Pat Lyle requested Commission approval for Reappraisal Department to surplus a 2011 Ford F150 Pickup and transfer to the General Fund for use by the Maintenance Department at fair market value of \$6,736. Commissioner Tony Haynes made a motion to approve and seconded by Commissioner Jackie Swinford. Motion carried.

**APPROVE CHAIRMAN TO SIGN AND COMMISSION APPROVE CONTRACT BETWEEN TALLADEGA COUNTY AND THE ALABAMA DEPARTMENT OF YOUTH SERVICES IN SUPPORT OF THE COOSA VALLEY DETENTION CENTER**

County Administrator Pat Lyle requested Commission approval for the Chairman to sign the Long Term Detention Subsidy Contract with Coosa Valley Detention Center for FY2017 which provides five detention bids and one free bed for use by juvenile court. Commissioner Tony Haynes made a motion to approve and seconded by Commissioner Jackie Swinford. Motion carried.

**APPROVE REQUEST TO RESCIND RESOLUTION DATED AUGUST 8, 2016 AUTHORIZING CHAIRMAN TO SIGN AND COMMISSION APPROVE LEASE PURCHASE AGREEMENT FOR IBM SERVER AND OPERATING SYSTEM FOR REVENUE DEPARTMENT**

County Administrator Pat Lyle stated the Commission approved a lease purchase agreement for an IBM server and operating system replacement for the Revenue Department at the August 22, 2016 commission meeting. Following commission approval, IBM contacted Bill Gates with a promotional offer that would save the County \$189 a month. Ms. Lyle requested Commission approval to rescind the agreement and resolution approved at the August 8, 2016 meeting. Commissioner Greg Atkinson made a motion to rescind the agreement and resolution; seconded by Commissioner Tony Haynes. Motion carried.

**AUTHORIZE CHAIRMAN TO SIGN AND COMMISSION APPROVE  
PROMOTIONAL OFFER FOR A NEW LEASE PURCHASE AGREEMENT  
WITH IBM CREDIT LLC FOR IBM SERVER AND OPERATING SYSTEM  
FOR REVENUE DEPARTMENT FOR A SAVINGS IN MONTHLY PAYMENTS**

County Administrator Pat Lyle requested the Commission approve the new lease purchase agreement with IBM Credit LLC for the IBM Server and Operating System for the Revenue Department for a savings in monthly payments. Commissioner Tony Haynes made a motion to approve and seconded by Commissioner Greg Atkinson. Motion carried.

**TABLE THE THIRD AMENDMENT TO HEALTH SERVICES  
AGREEMENT BETWEEN QCHC, INC. AND TALLADEGA COUNTY  
TO THE SEPTEMBER 26, 2016 COMMISSION MEETING**

Chairman Kelvin Cunningham stated the health services agreement was submitted just prior to the work session. Commissioner Tony Haynes made a motion to table this item until the September 26, 2016 meeting to provide an opportunity for Commissioners to review. The motion was seconded by Commissioner Greg Atkinson. Motion carried.

**REQUEST CHAIRMAN TO SIGN AND COMMISSION APPROVE RENEWAL  
TO STANDARD SERVICE CONTRACT AGREEMENT WITH MONTGOMERY  
TECHNOLOGY SYSTEMS, LLC FOR ELECTRONIC MAINTENANCE  
FOR THE PERIOD OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017**

County Administrator Pat Lyle requested the Chairman sign and Commission approve the annual service agreement with Montgomery Technology Systems who maintains the electronic systems at the jail FY 2017. Commissioner Tony Haynes made a motion to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

**SCHEDULE PUBLIC HEARING SEPTEMBER 26, 2016 AT 5:00 P.M.  
ON PROPOSED AMENDMENT NO. 772 OF THE CONSTITUTION  
REGARDING COMMERCIAL PROJECT DEVELOPMENT  
BY HUTTON TEAM LLC IN THE CITY OF SYLACAUGA**

County Administrator Pat Lyle stated that during work session the Hutton Group described the proposed commercial retail development in the City of Sylacauga and requested a hearing to allow the public the opportunity to comment on the project development agreement between the County and the Hutton Group. Ms. Lyle requested Commission approval to schedule a public hearing for September 26, 2016 at 5:00 p.m. in the Commission courtroom. Commissioner Jackie Swinford made a motion to schedule the public hearing for September 26, 2016 at 5:00 p.m. and seconded by Commissioner Greg Atkinson.

**RESCHEDULE TALLADEGA COUNTY COMMISSION  
WORK SESSION FOR 4:30 P.M. ON SEPTEMBER 26, 2016  
AND CONFIRM COMMISSION MEETING AT 6:00 P.M.**

Commissioner Jackie Swinford made a motion to reschedule the Commission Work Session for 4:30 p.m. on September 26, 2016 and confirm the Commission meeting at 6:00 p.m. The motion was seconded by Commissioner Greg Atkinson.

**APPROVE PARTIAL SCHEDULE OF COMMISSION MEETINGS  
AND WORK SESSIONS FOR THE MONTH OF OCTOBER  
AND SECOND WEDNESDAY OF NOVEMBER, 2016**

County Administrator Pat Lyle requested the Commission approve the partial schedule of Commission meetings and Work Sessions for the month of October and the second Wednesday of November. Due to the November 8 election, the county commission is required to hold the organization meeting the 2<sup>nd</sup> Wednesday following the election. At the November 16 meeting, the commission will establish the regular meeting days for the remainder of FY 2017.

Date	Work Session	Commission Meeting
Monday, October 10, 2016	5:00 p.m.	6:00 p.m.
Monday, October 24, 2016	5:00 p.m.	6:00 p.m.
Wednesday, November 16, 2016	5:00 p.m.	6:00 p.m.

Commissioner Greg Atkinson made a motion to approve and seconded by Commissioner Tony Haynes. Motion carried.

**APPROVE CONFERENCE REQUEST**

County Administrator Pat Lyle presented conference requests for approval. A motion was made by Commissioner Jackie Swinford and seconded by Commissioner Tony Haynes. Motion carried.

**APPROVE PERSONNEL CHANGES AND REQUESTS**

County Administrator Pat Lyle presented departmental personnel changes and posting of positions for Commission approval. A motion was made by Commissioner Malley Limbaugh to approve and seconded by Commissioner Jackie Swinford. Motion carried.

**AUTHORIZE EXPENDITURES**

County Administrator Pat Lyle presented to the Commission operating transfers and expenditures for \$363,551.41. A motion was made by Commissioner Jackie Swinford to approve and seconded by Commissioner Greg Atkinson. Motion carried. Chairman Kelvin Cunningham abstained.

**DISCUSSION ITEMS**

1. Saddletree Lane – Janie Martin  
Ms. Martin addressed the Commission requesting assistance with maintaining the road due to resident incomes. County Engineer Tim Markert and Commissioner Jackie Swinford will schedule a time to meet with the residents to suggest options.
2. Twin Pines Drive – Drucilla Foster  
Ms. Foster addressed the Commission requesting assistance with the road. Chairman Kelvin Cunningham will call Ms. Foster to make arrangements to look at the road and suggest options.

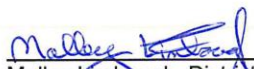
**ANNOUNCEMENTS**

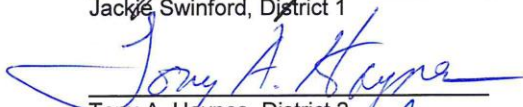
- The Work Session for September 26, 2016 has been rescheduled for 4:30 p.m. in the commission conference room
- There will be a public hearing on Monday, September 26, 2016 at 5:00 p.m. in the Commission courtroom regarding the potential project development agreement between the County and the Hutton Team
- The Commission meeting is scheduled for September 26, 2016 at 6:00 p.m. in the commission courtroom.

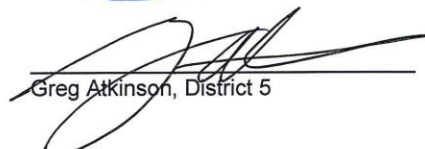
**MEETING ADJOURNED**

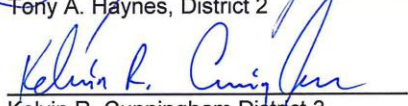
There being no further business for September 12, 2016, a motion to adjourn was made by Commissioner Jackie Swinford and seconded by Commissioner Tony Haynes. Motion carried. The meeting was adjourned at 6:55 p.m.

  
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Jackie Swinford, District 1

  
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Malley Limbaugh, District 4

  
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Tony A. Haynes, District 2

  
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Greg Atkinson, District 5

  
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Kelvin R. Cunningham District 3