### 01/24/2018

The Marshall County Commission met in regular session on Wednesday, January 24, at 10:00am in the Marshall County Commission Chambers.

### PRESENT:

James Hutcheson, Chairman
Shelly Fleisher, County Administrator
William H. Stricklend, III, District 1 Commissioner
R.E. Martin, District 2 Commissioner
David Kelley, District 3 Commissioner
Jessie C. Swords, District 4 Commissioner
Bob Pirando, County Engineer
Karen Young, Administrative Assistant
Norma Parker, Commission Clerk
Clint Maze, County Attorney

Chairman Hutcheson called the meeting and asked Commissioner Kelley to lead the invocation. He then asked Commissioner Stricklend to lead the Pledge of Allegiance.

### **CONSENT AGENDA**

A motion was made by Commissioner Martin, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve the consent agenda as read by Chairman Hutcheson. The consent agenda includes the minutes from the January 10, 2018 commission meeting and the claims docket for January 9 – January 22, 2018 in the amount of \$747,412.62.

### DISTRICT 1 – APPROVE SPEED LIMIT FOR PRITCHETT MT. ROAD, 20 MPH

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve a 20mph speed limit for Pritchett Mt. Road as recommended by County Engineer.

### DISTRICT 2 – APPROVE RESOLUTION TO VACATE A PORTION OF MARINA ROAD

A motion was made by Commissioner Martin, duly seconded by Commissioner Kelley, all members voting affirmatively and so carried to approve to waive the reading of the resolution as requested by County Attorney. A motion was made by Commissioner Martin, duly seconded by Commissioner Kelley, all members voting affirmatively and so carried to approve resolution to vacate a portion of Marina Road as recommended by County Engineer. A Public Hearing was held at the 9:00 a.m. work session.

STATE OF ALABAMA	)
MARSHALL COUNTY	)

### RESOLUTION VACATING PORTION OF MARINA ROAD

WHEREAS, the property owners along Marina Drive have filed a petition to vacate it:

WHEREAS, notice was given pursuant to Alabama Law and no one who lived on the road objected to the said vacation;

WHEREAS, the road to be vacated is portion of "MARINA ROAD" that lies between 451 Marina Road and 450 Marina Road, that is located in Marshall County, Alabama, as more particularly described as follows, to-wit:

The portion of Marina Road to be vacated is more particularly described as follows, to wit:

A paved road or right of way 50 feet of width as named as "Marina Road" that lies the Southeast ¼ of Section 26, Township 7 South, Range 3 East Huntsville Meridian, and being a portion of US – TVA Land Sales Tract XGR-238 in Marshall County, Alabama and lies between Marina Road and Bayshore Drive and shown on the E-991 map as Marina Road (between 451 Marina Road and 450 Marina Road) and in Marshall County, Alabama and is more particularly described as a 50-foot strip lying south and adjacent to the following described north line of said Drive, to wit: commencing at U. S. TVA Monument #108 and run South 1° 45' 00" West along the Easterly right-of-way of Bayshore Drive a distance of 141 feet to a

point; thence run South 35° 30' 37" West along the Southeasterly right-of-way line of Bayshore Drive a distance of 80.44 feet to a point on the North right-of- way of Marina Road; thence South 53° 33' 37" East 40 feet to the beginning point of said north line; thence continue South 53° 33' 37" East 71.71 feet to a point; thence run South 77 degrees 18' 57" East along said right-of-way line a distance of 137.24 feet; thence run South 86 degrees 38' 44" East along said right-of-way line a distance of 291.66 feet; thence run South 88 degrees 36' 34" East along said right-of-way line a distance of 99.09 feet; thence run South 84 degrees 11' 06" East along said right-of-way line a distance of 82.93 feet to a point on the West right-off-way line of Old U.S. Highway #241 which is also known as Marina Road; thence run South 63 degrees 44' 49" East a distance of 50.12 feet to a point on the East right of way line of said highway/road being the ending point of said north line. (B-15774.VACATE); and WHEREAS, the above described vacation is in the public interest.

THÉREFORE, BE IT RESOLVED as commissioners of Marshall County, Alabama, we hereby proclaim that the portion of Marina Road is vacated, discontinued, abandoned and annulled so as to destroy the force and effect of any dedication by map, plat or otherwise and to divest any and all rights of the public, including any rights which may have been acquired by dedication of plat, prescription or otherwise in that part of the road are hereby vacated.

Approved this the 24<sup>th</sup> day of January, 2018.

S/James Hutcheson S/Bill Stricklend

James Hutcheson, Commission Chair Bill Stricklend, D#1 Commissioner

S/R.E. Martin S/David Kelley

R. E Martin, D#2 Commissioner David Kelley, D#2 Commissioner

S/Jessie Swords S/Bob Pirando

Jessie C. Swords, D#2 Commissioner Bob Pirando, County Engineer

## <u>DISTRICT 4 – APPROVE FINANCING FROM BANCORP SOUTH FOR \$118,985 TO PURCHASE</u> MOTOR GRADER

A motion was made by Commissioner Swords, duly seconded by Commissioner Kelley, all members voting affirmatively and so carried to approve financing from Bancorp South for \$118,985 to purchase Motor Grader. Commissioner Swords stated his current motor grader is 50 years old.

#### SHERIFF - APPROVE PAYMENT REQUEST TO WILKS TIRE AND BATTERY: \$140.76

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve payment request to Wilks Tire and Battery.

### APPROVE CONTRACT AGREEMENT WITH YOUTH ADVOCATE PROGRAMS

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve contract agreement with Youth Advocate Programs.

### ANNOUNCE 2 WEEK APPLICATION PERIOD FOR DHR BOARD; 6 YEAR TERM

# APPROVE RESOLUTION AUTHORIZING FUNDING OF OT PAY FOR EMPLOYEES PERFORMING ESSENTIAL OPERATIONS WHEN COURTHOUSE IS CLOSED AND REQUEST PERSONNEL BOARD TO AMEND THE HANDBOOK TO REFLECT SUCH POLICY

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to follow the amended resolution authorizing funding of OT pay for employees performing essential operations when courthouse is closed and request Personnel Board to amend the Handbook to reflect such policy as read by the County Attorney.

STATE OF ALABAMA	)	
		)
MARSHALL COUNTY	)	

### RESOLUTION

WHEREAS, the Marshall County Commission at times, is required to close the Marshall County Courthouses, due to inclement weather; and

WHEREAS, when the Marshall County Courthouse is closed, the employees affected by the closure are not able to report to work and are placed on paid administrative leave; and

WHEREAS, however the employees performing essential operations are required to work during all times of inclement weather to insure that the public roads remain open and passable to the extent possible; and WHEREAS, the Marshall County Commission desires to pay employees performing essential operations who are required to work during inclement weather while the Courthouse is closed during normal business hours be paid time and a half (overtime pay).

NOW THEREFORE be it resolved that the Marshall County Commission authorizes payment of employees performing essential operations who are required to work during inclement weather while the Courthouse is closed during normal business hours be paid time and a half (overtime pay). BE IT FURTHER resolved that the Marshall County Commission request that the Marshall County Personnel Board consider necessary amendments to the Marshall County Handbook to effectuate this policy.

Adopted this the 24<sup>th</sup> day of January, 2018.

<u>S/James Hutcheson</u> JAMES HUTCHESON, Chairman

MEETING ADJOURNED

ATTEST:

S/William H.Stricklend S/David Kelley

WILLIAM H. STRICKLEND, District 1 DAVID KELLEY, District 3

S/R.E. Martin S/Jessie Swords

R.E. MARTIN, District 2 JESSIE SWORDS, District 4

There being no further business a motion was made by Commissioner Stricklend, duly seconded by Commissioner Kelley and so carried to adjourn.

James Hutcheson, Chairman
William H. Stricklend, District 1 Commissioner
R.E. Martin, District 2 Commissioner
David Kelley, District 3 Commissioner
Jassia Swords District / Commissioner