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The Marshall County Commission met in regular session on Wednesday, July 24, 2019 at 10:00am in the Marshall County Commission Chambers.

PRESENT:

James Hutcheson, Chairman
Ronny Shumate, District 1 Commissioner
James R. Watson, District 2 Commissioner
David Kelley, District 3 Commissioner
Joey Baker, District 4 Commissioner
Shelly Fleisher, County Administrator
Bob Pirando, County Engineer
Karen Young, Administrative Assistant
Clint Maze, County Attorney
Norma Parker, Commission Clerk

Chairman Hutcheson called the meeting to order and asked Commissioner David Kelley to lead the Invocation. He then asked Commissioner David Kelley to lead the Pledge of Allegiance.

CONSENT AGENDA

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, 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 July 10, 2019 commission meeting and the claims docket for June 25, 2019 – July 22, 2019 for \$507,128.58.

DISTRICT 1 – APPROVE SPEED LIMIT ON HINDS ROAD; 30MPH

A motion was made by Commissioner Shumate, duly seconded by Commissioner Watson, all members voting affirmatively and so carried to approve a 30mph speed limit on Hinds Road as recommended by County Engineer.

APPROVE ITEMS FOR ANNUAL BID

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, all members voting affirmatively and so carried to approve as recommended by County Engineer.

Bids to be renewed for another fiscal year if the vendor agrees to the same pricing, terms, etc. as in the current bid:

14-18	Coarse Aggregate	Madison Materials, C.A. Langford
17-18	Cleaning Products	Sunbelt Paper
34-18	Cold Mix (Delivered)	C.A. Langford
44-18	Corrugated Galvanized Metal Culvert Pipe	Fallin Farms/Db a Harvey Culvert

Items to bid under the Competitive Bid Law for FY 2019-2020 as annual bids:

1.Rip Rap	2.Office Supplies
3.Polyethylene Pipe & Polypropylene Pipe	4.Gasoline & Diesel Fuel
5.Hot Bituminous Pavement (FOB)	5.New (OE) Tires
6.Cold Mix	7.Hot Bituminous Pavement (FOB Plant)
8.Jail Inmate Supplies	9.Oil Changes
10.Brake Change/Repair	

Items to bid for fiscal year 2019-2020 as Public Works Annual Bids:

1.Traffic Striping	2.Guardrail & End Anchors
3.Bituminous Surface Treatment (CIP)	4.Hot Bituminous Surface Pavement (CIP) CW
5.Hot Bituminous Surface Pavement (CIP) D1	

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APPROVE CONTRACT LEASE AGREEMENT OF CLAYSVILLE PUBLIC BOAT RAMP WITH STATE OF ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES CONDITIONED ON CITY OF GUNTERSVILLE BEING RESPONSIBLE FOR BOAT RAMP AND PARKING LOT SANITATION

A motion was made by Commissioner Watson, duly seconded by Commissioner Kelley, all members voting affirmatively and so carried to approve contract lease agreement of Claysville Public Boat Ramp with State of Alabama Department of Conservation and Natural Resources, conditioned upon the City of Guntersville being responsible for boat ramp and parking lot sanitation.

APPROVE LIBRARY CONTRACT

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, all members voting affirmatively and so carried to approve library contract.

APPROVE CONTRACT WITH EVERGREEN SOLUTIONS, LLC FOR PAY STUDY; \$36,000 INCLUDED IN FY20 BUDGET

A motion was made by Commissioner Shumate, duly seconded by Commissioner Watson, all members voting affirmatively and so carried to approve contract with Evergreen Solutions, LLC for pay study. The \$36,000 will be included in the FY20 Budget.

APPROVE CAR TAG FEE

A motion was made by Commissioner Baker, duly seconded by Commissioner Kelley to approve a \$10 car tag fee to fund the SRO program, contingent on the Legislature contributing \$30,000, Commission paying \$100,000 and the Marshall County Board of Education pay \$50,000 annually.

Commissioner Shumate asked for the floor to be opened for discussion, in which he stated that he was not in favor of the \$10 car tag fee. Commissioner Shumate also didn't recall the exemptions being approved previously. He stated that he had told his constituents that there would be a two-car limit per household.

Commissioner Watson stated that he wants to make sure everything was right and he did not feel like the vote should proceed at this time. Chairman Hutcheson said that he felt like the subject had been discussed enough and every base had been covered. At this time he called for a roll call vote. Commissioner Shumate abstained from voting, Commissioner Watson abstained from voting, Commissioner Kelley stated that he seconded the motion, but he wanted the Commission to be in agreement and united in the decision, but voted yes. At this time Commissioner Baker withdrew his motion. Chairman Hutcheson announced motion failed, and called for another motion to be made. No other motion was made and item failed due to lack of motion.

APPROVE INCREASING SHERIFF/JAIL BUDGETS BY \$237,000 FROM GENERAL FUND FUND BALANCE TO COVER SHORTAGE, OF WHICH \$181,000 IS FOR INMATE HEALTHCARE

A motion was made by Commissioner Kelley, duly seconded by Commissioner Shumate, all members voting affirmatively and so carried to approve increasing Sheriff/Jail budgets by \$237,000 from General Fund fund balance to cover shortage, of which \$181,000 is for inmate healthcare.

APPROVE RESOLUTION DECLARING AN EMERGENCY BID FOR ELEVATOR REPAIR FOR JAIL

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, all members voting affirmatively and so carried to approve Resolution declaring an Emergency Bid for elevator repair for Jail.

Resolution of the Marshall County Commission Declaring Emergency for Jail Elevator

WHEREAS, Marshall County, Alabama (the "County") is bound by the State Bid Law, Ala Code Section 39-1-1 *et seq* (the "Bid Law"); and

WHEREAS, the Bid Law requires that, before entering into any contract for a public works involving an amount in excess of fifty thousand dollars (\$50,000), the County shall advertise for sealed bids; and

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WHEREAS, the Bid Law allows, in cases of an emergency affecting public health, safety, or convenience, as declared in writing by the awarding authority, setting forth the nature of the danger to the public health, safety, or convenience which would result from delay, contracts may be let to the extent necessary to meet the emergency without public advertisement; and

WHEREAS, the Marshall County Commission is charged with funding the operation and maintenance of the Marshall County Jail; and

WHEREAS, the Marshall County Jail is a three-story facility with administration, booking, medical and food preparation on the first level and inmates being housed on the second and third levels; and

WHEREAS, the Marshall County Jail has only one elevator, which is in a secured portion of the jail, and which is necessary for the daily operation of the jail and the safety and security of the public, the jail administration and staff, and the inmates; and

WHEREAS, the Marshall County Jail elevator is not presently functional for regular daily operations and poses significant risk to the safety and well-being of the jail administration and staff, and the inmates; and

WHEREAS, the Marshall County Jail elevator must be replaced on an emergency basis; and

NOW THEREFORE be it declared by the Marshall County Commission that an emergency exists for the replacing the jail elevator. The emergency is the result of the sole elevator in the jail not being available for moving inmates, food and supplies to the upper levels of the jail access for emergency personnel into and out of the upper level of the jail.

Declared this the 24th day of July, 2019.

S/James Hutcheson
JAMES HUTCHESON, Chairman

S/Ronny Shumate
RONNY SHUMATE, District 1

S/David Kelley
DAVID KELLEY, District 3

S/James R. Watson
JAMES R. WATSON, District 2

S/Joey Baker
JOEY BAKER, District 4

APPROVE BID AWARD FOR JAIL ELEVATOR

A motion was made by Commissioner Kelley, duly seconded by Commissioner Shumate, all members voting affirmatively and so carried to award Bid #62-18 to low bidder Bagby Elevator Company. Inc out of Birmingham, AL for \$79,226 from Courthouse and Jail Fund as recommended by County Engineer.

APPROVE THE SELL, TRADE OR SCRAP OF FIXED ASSETS

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, all members voting affirmatively and so carried to approve the sell, trade or scrap of fixed assets.

<u>SURPLUS</u>	<u>FA#</u>	<u>DESCRIPTION</u>	<u>DEPARTMENT</u>	<u>REASON</u>
		Dog Box	Animal Control	Item is no longer needed in department
		1990 Chevrolet Box Truck	Probate/ Sheriff	Item is no longer needed in department

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

MEETING ADJOURNED

James Hutcheson, Chairman

Ronny Shumate, District 1 Commissioner

James R. Watson, District 2 Commissioner

David Kelley, District 3 Commissioner

Joey Baker, District 4 Commissioner