

08/12/2020

The Marshall County Commission met in regular session on Wednesday, August 12, 2020 at 10:00am in the Marshall County Commission Chambers.

PRESENT:

James Hutcheson, Chairman  
Shelly Fleisher, County Administrator  
Ronny Shumate, District 1 Commissioner  
James R. Watson, District 2 Commissioner  
David Kelley, District 3 Commissioner  
Joey Baker, District 4 Commissioner  
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 Attorney Clint Maze to lead the Invocation and Commissioner Joey Baker to lead the Pledge of Allegiance.

CONSENT AGENDA

A motion was made by Commissioner Shumate, duly seconded by Commissioner Kelley, and 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 22, 2020 meeting and the claims docket for July 21, 2020 – August 10, 2020 for \$1,126,829.04.

APPROVE RESOLUTION FOR AGREEMENT WITH MARSHALL COUNTY EMERGENCY TELEPHONE SERVICE BOARD FOR THE PURCHASE OF THE COUNTYWIDE P25 RADIO SYSTEM, \$467,077.40 COST OVER 5 YEARS. RADIOS WILL BE ADDITIONAL.

A motion was made by Commissioner Kelley, duly seconded by Commissioner Watson, and all members voting affirmatively and so carried to approve resolution for agreement with Marshall County Emergency Telephone Service Board for the purchase of the Countywide P25 Radio System, \$467,077.40 cost over 5 years. Radios will be additional.

PROJECT 25 COMMUNICATIONS RESOLUTION

WHEREAS, Marshall County, Alabama (the "County"), including specifically its first responders, are in critical need of being able to communicate wirelessly with other state, county and municipal first responders and personnel; and

WHEREAS, Interoperable emergency communication is integral to initial response, public health, community safety, national/state/local security and economic stability; and

WHEREAS, since 2012, the Association of Public-Safety Communications Officials-International (APCO), in conjunction with the Federal Communications Commission (FCC) established the Project 25 (P25) collaborative project system to achieve common compatibility among various national, state and local first responders; and

WHEREAS, the current wireless communications radio system(s) in use by the County is not a Project 25 compatible communication infrastructure; and

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WHEREAS, the state of Alabama, through the Alabama First Responder Wireless Commission, since 2014 has recommended a “system-of-systems” approach to achieve interoperability throughout the state in conformity with Project 25; and

WHEREAS, the County, together with the municipalities of Arab, Albertville and Guntersville, and the HH Health Systems – Marshall, LLC (“Marshall Health”) (all of which are referenced herein as “Stakeholders”) and Marshall County Emergency Telephone Service Board, Inc. (“Marshall County E-911”) are all similarly situated and in agreement that it is not economically feasible to separately establish P25 communication infrastructures; and

WHEREAS, through discussions that have been ongoing for some time, the above cited Stakeholders have discussed the need for a common service contract whereby the Stakeholders may jointly authorize the purchase and maintenance of a P25 communication infrastructure by way of a Countywide P25 Radio System which is a digital radio and console system (hereinafter called “Radio System”) to allow and establish interoperable emergency communications; and

WHEREAS, the Marshall County Commission believes it is in the best interests of the County to enter into a common service contract jointly with the other Stakeholders in Marshall County for the purchase and establishment of a jointly owned P25 communication infrastructure.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSION OF MARSHALL COUNTY, ALABAMA THAT:

The County agrees to enter into a binding agreement for the purchase and procurement of a Radio System with Marshall E-911 jointly with the municipalities of Arab, Guntersville and Albertville, and the Marshall Health (and any combination of the listed Stakeholder entities).

1. The agreement will allow Marshall E-911 to purchase the Radio System for a total purchase price of \$1,760,641.00 and obligate the Stakeholders to pay certain annual expenses to connect and maintain the system and software.
2. The Radio System will be jointly owned by the Stakeholders unless or until a joint-member statutory entity of the Stakeholders is created.
3. The Contract with Marshall County E-911 which shall be appended to the minutes of this meeting is hereby approved.
4. As indicated, this Contract shall not be effective unless at least three (3) other Stakeholders also agree to enter into the Contract.
5. The Chairman is authorized to sign such documentation as might be required to enter into such agreement contemplated by this Resolution.
6. If any section, subsection, paragraph, sentence, clause or phrase of this Resolution shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions

of this Resolution which shall continue in full force and effect, and to this end the provisions of this Resolution are hereby declared to be severable.

PASSED and ADOPTED this 12<sup>th</sup> day of August, 2020.

S/James Hutcheson  
JAMES HUTCHESON, Chairman

S/Ronny Shumate  
RONNY SHUMATE, District 1

S/David Kelley  
DAVID KELLEY, District 3  
Vice Chairman

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

S/Joey Baker  
JOEY BAKER, District 4

SHERIFF/ JAIL – APPROVE INCREASING SHERIFF & JAIL BUDGETS BY \$82,000 FROM GENERAL FUND FUND BALANCE FOR SHORTFALLS IN PERSONNEL BUDGET LINES

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve increasing Sheriff & Jail Budgets by \$82,000 from General Fund fund balance for shortfalls in Personnel budget lines.

MCPALS – ANNOUNCE WHITE GOODS PICKUP AND DUMPSTERS FOR DISTRICTS 1, 3 & 4, AUGUST 17; (DISTRICT 1 PAYS, DISTRICTS 3 & 4 FREE)

COUNCIL ON AGING – APPROVE CONTRACT FOR GROCERY BAG PROGRAM; \$62,460, NO MATCH

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve contract for Grocery Bag Program for \$62,460, no match.

COUNCIL ON AGING – APPROVE STATE HEALTH INSURANCE PROGRAM (SHIP) CONTRACT; \$5,000, NO MATCH

A motion was made by Commissioner Watson, duly seconded by Commissioner Kelley, and all members voting affirmatively and so carried to approve State Health Insurance Program (SHIP) Contract for \$5,000, no match.

COUNCIL ON AGING – APPROVE SENIOR RX CONTRACT; \$20,848, NO MATCH

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve Senior RX Contract for \$20,848, no match.

COUNCIL ON AGING – APPROVE AGING CONTRACT \$129,530, NO MATCH

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve Aging Contract for \$129,530, no match.

DISTRICT 1 – APPROVE PRELIMINARY PLAT APPROVAL FOR THE COVE PHASE 1 SUBDIVISION

A motion was made by Commissioner Shumate, duly seconded by Commissioner Watson, and all members voting affirmatively and so carried to approve preliminary plat approval for The Cove Phase 1 Subdivision as recommended by the County Engineer.

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DISTRICT 2 – APPROVE ACCEPTANCE OF ROAD IN KELLY COVE PHASE II (TARA DRIVE EXTENSION) FOR MAINTENANCE

A motion was made by Commissioner Watson, duly seconded by Commissioner Kelley, and all members voting affirmatively and so carried to approve acceptance of road in Kelly Cove Phase II (Tara Drive extension) for maintenance as recommended by the County Engineer.

DISTRICT 2 – APPROVE ACCEPTANCE OF ROAD IN MARINA VILLAGE SUBDIVISION FOR MAINTENANCE (ANCHOR AVENUE)

A motion was made by Commissioner Watson, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve acceptance of road in Marina Village subdivision for maintenance (Anchor Avenue) as recommended by the County Engineer.

DISTRICT 2 – APPROVE ACCEPTANCE OF ENTRANCE ROAD IN THE RESERVE SUBDIVISION FOR MAINTENANCE (RESERVE DRIVE) (FROM SUNNY BROOK UP TO PHASE I)

A motion was made by Commissioner Watson, duly seconded by Commissioner Kelley, and all members voting affirmatively and so carried to approve acceptance of entrance road in the Reserve subdivision for maintenance (Reserve Drive) (from Sunny Brook up to Phase I) as recommended by the County Engineer.

DISTRICT 2 – APPROVE OF FINANCE AGREEMENT FOR ERPR-9070, MCP 48-81-20 (CATHEDRAL CAVERNS HIGHWAY NEAR DAR SCHOOL) SLIDE INVESTIGATION

A motion was made by Commissioner Watson, duly seconded by Commissioner Kelley, and all members voting affirmatively and so carried to approve finance agreement for ERPR-9070, MCP 48-81-20 (Cathedral Caverns Highway near DAR School) Slide Investigation as recommended by the County Engineer.

APPROVE COUNTY TRANSPORTATION PLAN (CTP) FOR FY 2021 USING REBUILD ALABAMA FUNDS

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve County Transportation Plan (CTP) for FY 2021 using Rebuild Alabama funds.

<u>ROAD NAME</u>	<u>DESCRIPTION</u>	<u>PROJECT EST.COST</u>	<u>PROJECT (Miles)</u>
Union Chapel Road D#2	Resurface and Traffic Stripe from US 231 east to Union Grove Road	\$544,172	3.81
Martling Road D#4	Resurface and Traffic Stripe from Albertville City Limits north to Hustleville Road	\$232,636	1.29
Martling Road D#4	Resurface and Traffic Stripe from Blue Bend Road north to Martling Gap Road	\$459,561	2.72
Cathedral Caverns Hwy	Resurface and Traffic Stripe from Fish Trap Road north to Cavern Cove Road	\$509,125	2.32

EMA – APPROVE BID AWARD FOR PERSONAL PROTECTIVE MASKS

A motion was made by Commissioner Baker, duly seconded by Commissioner Kelley, and all members voting affirmatively and so carried to approve bid award for Personal Protective Masks.

<u>VENDOR</u>	<u>LOW BID ITEM</u>
Seam Seal International Guntersville, AL	KN95 Mask \$1.79 each

LNJ Capital, Inc Carrollton, TX Premier Mask & Supply Boaz, AL	3 Ply Face Mask \$.098 each  Fitty N99 Mask \$1.75 each N95 Mask \$6.00 each
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DISTRICT 4 – APPROVE BID AWARD FOR ONE (1) OR MORE NEW MOTRIM(S)

A motion was made by Commissioner Baker, duly seconded by Commissioner Kelley, and all members voting affirmatively and so carried to award bid #57-19 to low bidder Chambers American Products out of Pioneer, TN as recommended by the county engineer. This bid was for one or more motrim mowers with attachments.

Cap Savage Mower	Boom Mower Attach	Rotary Side Mower	Flail Side Mower	Front Rotary Cutter	Front Grass Flail	Front Broom	60-Inch Rotary Side Mower	Front Side Ditcher
\$138,000	\$26,500	\$9,600	\$8,500	\$9,700	\$8,400	\$6,600	\$9,700	\$9,400

ENGINEERING – APPROVE 36-MONTH COPIER LEASE FROM STATE OF ALABAMA CONTRACT PRICING FOR COPIER WITH XEROX; MONTHLY FIXED LEASE \$174.73 (BLACK/WHITE PRINTS \$.0061EA) (COLOR PRINTS \$.0450EA)

A motion was made by Commissioner Kelley, duly seconded by Commissioner Watson, and all members voting affirmatively and so carried to approve 36-month copier lease from State of Alabama Contract pricing for copier with Xerox; monthly fixed lease \$174.73 (black/white prints \$.0061ea) (color prints \$.0450ea).

APPROVE CONSULTANT AGREEMENT WITH COBBS, ALLEN & HALL FOR BENEFIT SERVICES

A motion was made by Commissioner Kelley, duly seconded by Commissioner Shumate to table this item. Chairman Hutcheson called for a roll call vote at this time. Commissioner Shumate, yea, Commissioner Watson, nay, Commissioner Kelley, yea, Commissioner Baker, nay. Roll call resulted in a tie, Chairman Hutcheson voted nay, leaving motion on the table. A motion was made by Commissioner Watson, duly seconded by Commissioner Baker to approve consultant agreement with Cobbs, Allen & Hall for benefit services. Chairman Hutcheson called for a roll call vote. Commissioner Shumate, nay, Commissioner Watson, yea, Commissioner Kelley, nay, Commissioner Baker, yea. Roll call resulted in a tie, Chairman Hutcheson voted yea, the motion to approve consultant agreement with Cobbs, Allen & Hall for benefit services passed with three yea's and two nay's.

ANNOUNCE TWO-WEEK APPLICATION PERIOD EXTENSION FOR ALABAMA MOUNTAIN LAKES TOURIST ASSOCIATION BOARD; EXPIRES AUGUST 2022

Application period was extended two weeks.

ANNOUNCE TWO-WEEK APPLICATION PERIOD FOR DHR BOARD; EXPIRES SEPTEMBER 2026

ANNOUNCE TWO-WEEK APPLICATION PERIOD FOR LIBRARY BOARD

PROBATE – APPROVE COMPUTER SOFTWARE ADDENDUM WITH DELTA COMPUTER SYSTEMS; \$4,060 MONTHLY

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve computer software addendum with Delta Computer Systems for \$4,060 monthly.

REVENUE COMMISSION – APPROVE 2019 INSOLVENTS, ERRORS AND TAX DFC 22 FORM TO BE SUBMITTED TO ALABAMA DEPARTMENT OF REVENUE (ADOR)

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve 2019 Insolvents, Errors and Tax DFC 22 form to be submitted to Alabama Department of Revenue (ADOR).

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LIBRARY – APPROVE LIBRARY CONTRACT AGREEMENT EFFECTIVE SEPTEMBER 1, 2020

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve Library Contract agreement effective September 1, 2020.

APPROVE CORRECTED TAX LEVY PREVIOUSLY RECORDED FEBRUARY 11, 2015

A motion was made by Commissioner Kelley, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve corrected tax levy previously recorded February 11, 2015.

State

General-----	2.5 mills
Solder-----	1.0 mills
Schools-----	<u>3.0 mills</u>
TOTAL-----	6.5 mills

County

General-----	6.0 mills
Road and Bridge----	2.4 mills
Courthouse and Jail-	0.6 mills
Hospital-----	<u>4.5 mills</u>
TOTAL-----	13.5 mills
County Wide School	4.5 mills

School Districts

District 82 (Albertville)	3.5 mills
District 3A (Arab)-----	2.0 mills
District 3A (Arab)-----	3.5 mills
District 81 (Guntersville)	3.5 mills
District (Rural)-----	13.0 mills
Boaz School District-	13.0 mills

Cities

Albertville City-----	5.0 mills
Albertville Special----	7.5 mills

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Albertville (2008 school) 6.0 mills

Arab City----- 5.0 mills

Boaz City----- 5.0 mills

Boaz Special ----- 7.5 mills

Guntersville City---- 6.0 mills

Guntersville Special 9.0 mills

Grant City----- 5.0 mills

Timber Tax-----

Taxes are based on assessed value times a millage rate

APPROVE THE SELL, TRADE OR SCRAP OF FIXED ASSETS

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

SCRAP	Siren Amps an drivers	EMA	Item is obsolete, broken or worn out
SELL	11745 Bull Dozer	District 3	Item is no longer needed in department
	Lot of misc knives and box cutters	Commission	Item is no longer needed in department

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

MEETING ADJOURNED

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James Hutcheson, Chairman

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Ronny Shumate, District 1 Commissioner

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James R. Watson, District 2 Commissioner

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David Kelley, District 3 Commissioner

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Joey Baker, District 4 Commissioner