

06/22/2022

The Marshall County Commission met in regular session on Wednesday, June 22, 2022 at 10:00am in the Marshall County Commission Chambers. The invocation was led by County Attorney Clint Maze and the Pledge of Allegiance was led by Commissioner Joey Baker.

PRESENT:

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

CONSENT AGENDA

A motion was made by Commissioner Shumate, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve the consent agenda presented as read by Chairman Hutcheson. The consent agenda includes the minutes from the June 8, 2022 meeting and the claims docket for June 7, 2022 – June 20, 2022 in the amount of \$502,602.11.

DISTRICT 1 – APPROVE PUBLIC HEARING TO VACATE LEGEND ROAD FROM COUNTY ROAD 1866 TO ASKEA GROVE LANE TO BE HELD ON JULY 27, 2022 AT 9:00 A.M.

A motion was made by Commissioner Shumate, duly seconded by Commissioner Watson, and all members voting affirmatively and so carried to approve public hearing to vacate Legend Road from County Road 1866 to Askea Grove Lane to be held on July 27, 2022 at 9:00 A.M.

REVENUE COMMISSION – APPROVE 2021 INSOLVENTS, ERRORS AND LITIGATIONS TO BE SUBMITTED TO THE ALABAMA DEPARTMENT OF REVENUE

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve 2021 Insolvents, Errors and Litigations to be submitted to the Alabama Department of Revenue.

APPROVE ENTERING INTO CONTRACT TO AUDIT WITH THE ALABAMA DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS FY2021: \$16,168 INCLUDED IN BUDGETED EXPENDITURES

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve entering into contract to audit with the Alabama Department of examiners of Public Accounts FY2021 for \$16,168 included in budgeted expenditures to be paid out of General Fund.

APPROVE TO PURCHASE 80 TRAFFIC CONES: \$1,629.00 COUNTYWIDE FUND BALANCE

A motion was made by Commissioner Watson, duly seconded by Commissioner Shumate, and all members voting affirmatively and so carried to approve to purchase 80 traffic cones for \$1,629.00 Countywide fund balance.

APPROVE LETTER OF SUPPORT TO ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS FOR GONETSPEED APPLICATION FOR THE ALABAMA BROADBAND ACCESSIBILITY FUND

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve letter of support to Alabama Department of Economic and Community Affairs for GoNetspeed application for the Alabama Broadband Accessibility Fund.

06/22/2022

APPROVE LETTER OF SUPPORT TO ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS FOR SPECTRUM SOUTHEAST, LLC APPLICATION FOR THE ALABAMA BROADBAND ACCESSIBILITY FUND

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve letter of support to Alabama Department of Economic and Community Affairs for Spectrum Southeast, LLC application for the Alabama Broadband Accessibility Fund.

APPROVE ENTERING INTO A CONTRACT WITH MONEY TIME ATM'S, INC TO INSTALL ATM FOR GUNTERSVILLE AND/OR ALBERTVILLE COUNTY COURTHOUSES AT NO COST TO COUNTY

A motion was made by Commissioner Baker, duly seconded by Commissioner Watson, and all members voting affirmatively and so carried to approve entering into a contract with Money Time ATM's, Inc to install ATM for Guntersville and/or Albertville County courthouses at no cost to county.

EMA – APPROVE APPLYING FOR GRANT THROUGH HOMELAND SECURITY GRANT PROGRAM IN THE AMOUNT OF \$18,414.95 WITH NO REQUIRED MATCH

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve applying for grant through Homeland Security Grant Program in the amount of \$18,414.95 with no required match.

APPROVE TO PURCHASE WALK-THROUGH METAL DETECTOR FOR ALBERTVILLE COURTHOUSE IN THE AMOUNT OF \$3,997 TO BE PAID FROM GENERAL FUND FUND BALANCE

A motion was made by Commissioner Shumate, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve to purchase walk-through metal detector for Albertville Courthouse in the amount of \$3,997 to be paid from General Fund fund balance.

APPROVE RESOLUTION ADOPTING SUBAWARD POLICIES AND PROCEDURES FOR WATER AND SEWER INFRASTRUCTURE GRANT PROJECTS

A motion was made by Commissioner Sims, duly seconded by Commissioner Shumate, and all members voting affirmatively and so carried to approve to waive reading of resolutions for all water projects. A motion was made by Commissioner Sims, duly seconded by Commissioner Shumate, and all members voting affirmatively and so carried to approve Resolution adopting subaward policies and procedures for water and sewer infrastructure grant projects.

RESOLUTION ADOPTING SUBAWARD IMPLEMENTATION POLICIES AND PROCEDURES FOR WATER AND SEWER INFRASTRUCTURE GRANT PROJECTS USING AMERICAN RESCUE PLAN ACT FUNDS

WHEREAS, Marshall County, Alabama (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, the County may make necessary investments in water and sewer infrastructure using ARPA funds; and

WHEREAS, pursuant to 603(c)(3) of the ARPA, PL 117-2, March 11, 2021, 135 Stat 4, the County may transfer ARPA funds to municipalities, water and sewer authorities, and other public third-party providers ("third-party providers") in order to make these necessary investments; and

06/22/2022

WHEREAS, the Marshall County Commission (the "Commission") has determined that appropriating ARPA funds to enter into subawards with third-party providers to make necessary investments in water and sewer infrastructure is a necessary, eligible, and reasonable use of these funds; and

WHEREAS, the Commission has previously allocated up to \$7,000,000, of its ARPA funds by way of Resolution dated December 8, 2021, and previously issued a Notice of Funding Opportunity to solicit project proposals from third-party providers in the County.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

1) The County hereby adopts implementation plan for water and sewer infrastructure projects set forth in Addendum 1 to this Resolution, the provisions of which are fully adopted and incorporated herein by reference.

2) The Commission expressly acknowledges that the Notice of Funding Opportunity is consistent with said implementation plan for water and sewer infrastructure projects.

IN WITNESS WHEREOF, the Marshall County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 22nd day of June, 2022.

S/James Hutcheson
Chairman, Marshall County Commission

APPROVE RESOLUTION TO ALLOCATE UP TO \$1,038,863.10 OF ARPA FUNDS TO ASBURY WATER SYSTEM FOR WATER TANK

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve Resolution to allocate up to \$1,038,863.10 of ARPA funds to Asbury Water System for water tank.

RESOLUTION TO AUTHORIZE THE ALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDS FOR ELIGIBLE WATER INFRASTRUCTURE PROJECT

WHEREAS, Marshall County, Alabama (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, ARPA funds may be used for necessary investments in water and sewer infrastructure ("eligible water and sewer ARPA infrastructure projects"); and

WHEREAS, pursuant to 603(c)(3) of the ARPA, PL 117-2, March 11, 2021, 135 Stat 4, the County may transfer ARPA funds to municipalities, water and sewer authorities, and other public third-party providers ("third-party providers") in order to make these necessary investments; and

WHEREAS, the Marshall County Commission (the "Commission") has identified, with assistance from an independent consultant, an eligible ARPA infrastructure project to serve the County's citizens; and

WHEREAS, the Commission desires to enter into an agreement with Asbury Water System, Inc., a water and sewer authority, to carry out the ARPA infrastructure project for a public purpose;

06/22/2022

WHEREAS, the Commission has determined that the project is a necessary, eligible, and reasonable use of these funds; and

WHEREAS, the County will conduct a satisfactory risk assessment of the Asbury Water System, Inc. and develop a monitoring plan for the ARPA infrastructure project.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

- 1) The County hereby conditionally allocates up to \$1,038,863.10 of its ARPA funds to cover part or all of costs of an infrastructure project to install a new 200,000-gallon water tank on Mayfield Road in Albertville.
- 2) This allocation is conditioned upon meeting federal requirements as set forth in paragraph 3 and further review of cost estimates of the project.
- 3) Following the successful completion of a risk assessment and development of a monitoring plan, the County is hereby directed to negotiate with the Asbury Water System, Inc. to establish a subaward agreement consistent with this resolution and the terms and conditions of the County's ARPA award including compliance with Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- 4) ARPA funds will be not obligated or expended for an eligible water or sewer infrastructure project prior to the Commission's adoption of a resolution authorizing the terms and conditions of the subaward.

IN WITNESS WHEREOF, the Marshall County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 22nd day of June, 2022.

S/James Hutcheson
Chairman, Marshall County Commission

APPROVE RESOLUTION TO ALLOCATE UP TO \$49,985.00 OF ARPA FUNDS TO DOUGLAS WATER AUTHORITY FOR WATER TANK #3

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve Resolution to allocate up to \$49,985.00 of ARPA funds to Douglas Water Authority for water tank #3.

RESOLUTION TO AUTHORIZE THE ALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDS FOR ELIGIBLE WATER INFRASTRUCTURE PROJECT

WHEREAS, Marshall County, Alabama (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, ARPA funds may be used for necessary investments in water and sewer infrastructure ("eligible water and sewer ARPA infrastructure projects"); and

06/22/2022

WHEREAS, pursuant to 603(c)(3) of the ARPA, PL 117-2, March 11, 2021, 135 Stat 4, the County may transfer ARPA funds to municipalities, water and sewer authorities, and other public third-party providers (“third-party providers”) in order to make these necessary investments; and

WHEREAS, the Marshall County Commission (the “Commission”) has identified, with assistance from an independent consultant, an eligible ARPA infrastructure project to serve the County’s citizens; and

WHEREAS, the Commission desires to enter into an agreement with Douglas Water Authority, a water and sewer authority, to carry out the ARPA infrastructure project for a public purpose;

WHEREAS, the Commission has determined that the project is a necessary, eligible, and reasonable use of these funds; and

WHEREAS, the County will conduct a satisfactory risk assessment of the Douglas Water Authority and develop a monitoring plan for the ARPA infrastructure project.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

5) The County hereby conditionally allocates up to \$49,985.00 of its ARPA funds to cover part or all of costs of an infrastructure project to sandblast and repaint the interior and exterior of a 200,000-gallon elevated water storage tank (Tank #3) located in Marshall County.

6) This allocation is conditioned upon meeting federal requirements as set forth in paragraph 3 and further review of cost estimates of the project.

7) Following the successful completion of a risk assessment and development of a monitoring plan, the County is hereby directed to negotiate with the Douglas Water Authority to establish a subaward agreement consistent with this resolution and the terms and conditions of the County’s ARPA award including compliance with Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

8) ARPA funds will be not obligated or expended for an eligible water or sewer infrastructure project prior to the Commission’s adoption of a resolution authorizing the terms and conditions of the subaward.

IN WITNESS WHEREOF, the Marshall County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 22nd day of June, 2022.

S/James Hutcheson
Chairman, Marshall County Commission

APPROVE RESOLUTION TO ALLOCATE UP TO \$280,000.00 OF ARPA FUNDS TO DOUGLAS WATER AUTHORITY FOR WATER TANK #9

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve Resolution to allocate up to \$280,000.00 of ARPA funds to Douglas Water Authority for water tank #9.

06/22/2022

RESOLUTION TO AUTHORIZE THE ALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDS FOR ELIGIBLE WATER INFRASTRUCTURE PROJECT

WHEREAS, Marshall County, Alabama (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, ARPA funds may be used for necessary investments in water and sewer infrastructure ("eligible water and sewer ARPA infrastructure projects"); and

WHEREAS, pursuant to 603(c)(3) of the ARPA, PL 117-2, March 11, 2021, 135 Stat 4, the County may transfer ARPA funds to municipalities, water and sewer authorities, and other public third-party providers ("third-party providers") in order to make these necessary investments; and

WHEREAS, the Marshall County Commission (the "Commission") has identified, with assistance from an independent consultant, an eligible ARPA infrastructure project to serve the County's citizens; and

WHEREAS, the Commission desires to enter into an agreement with Douglas Water Authority, a water and sewer authority, to carry out the ARPA infrastructure project for a public purpose;

WHEREAS, the Commission has determined that the project is a necessary, eligible, and reasonable use of these funds; and

WHEREAS, the County will conduct a satisfactory risk assessment of the Douglas Water Authority and develop a monitoring plan for the ARPA infrastructure project.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

9) The County hereby conditionally allocates up to \$280,000.00 of its ARPA funds to cover part or all of costs of an infrastructure project to refurbish a 1,500,000 gallon steel standpipe tank (Tank #9) that services customers in Marshall County.

10) This allocation is conditioned upon meeting federal requirements as set forth in paragraph 3 and further review of cost estimates of the project.

11) Following the successful completion of a risk assessment and development of a monitoring plan, the County is hereby directed to negotiate with the Douglas Water Authority to establish a subaward agreement consistent with this resolution and the terms and conditions of the County's ARPA award including compliance with Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

12) ARPA funds will be not obligated or expended for an eligible water or sewer infrastructure project prior to the Commission's adoption of a resolution authorizing the terms and conditions of the subaward.

06/22/2022

IN WITNESS WHEREOF, the Marshall County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 22nd day of June, 2022.

S/James Hutcheson
Chairman, Marshall County Commission

APPROVE RESOLUTION TO ALLOCATE UP TO \$37,300.00 OF ARPA FUNDS TO DOUGLAS WATER AUTHORITY FOR WATER TANK #6

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve Resolution to allocate up to \$37,300.00 of ARPA funds to Douglas Water Authority for water tank #6.

RESOLUTION TO AUTHORIZE THE ALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDS FOR ELIGIBLE WATER INFRASTRUCTURE PROJECT

WHEREAS, Marshall County, Alabama (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, ARPA funds may be used for necessary investments in water and sewer infrastructure ("eligible water and sewer ARPA infrastructure projects"); and

WHEREAS, pursuant to 603(c)(3) of the ARPA, PL 117-2, March 11, 2021, 135 Stat 4, the County may transfer ARPA funds to municipalities, water and sewer authorities, and other public third-party providers ("third-party providers") in order to make these necessary investments; and

WHEREAS, the Marshall County Commission (the "Commission") has identified, with assistance from an independent consultant, an eligible ARPA infrastructure project to serve the County's citizens; and

WHEREAS, the Commission desires to enter into an agreement with Douglas Water Authority, a water and sewer authority, to carry out the ARPA infrastructure project for a public purpose;

WHEREAS, the Commission has determined that the project is a necessary, eligible, and reasonable use of these funds; and

WHEREAS, the County will conduct a satisfactory risk assessment of the Douglas Water Authority and develop a monitoring plan for the ARPA infrastructure project.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

13) The County hereby conditionally allocates up to \$37,300.00 of its ARPA funds to cover part or all of costs of an infrastructure project to sandblast and repaint the interior and exterior of a 500,000-gallon elevated water storage tank (Tank #6) located in Marshall County.

14) This allocation is conditioned upon meeting federal requirements as set forth in paragraph 3 and further review of cost estimates of the project.

15) Following the successful completion of a risk assessment and development of a monitoring plan, the County is hereby directed to negotiate with the Douglas Water Authority to establish

16) a subaward agreement consistent with this resolution and the terms and conditions of the County's ARPA award including compliance with Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

17) ARPA funds will be not obligated or expended for an eligible water or sewer infrastructure project prior to the Commission's adoption of a resolution authorizing the terms and conditions of the subaward.

IN WITNESS WHEREOF, the Marshall County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 22nd day of June, 2022.

S/James Hutcheson
Chairman, Marshall County Commission

APPROVE AWARD PACKETS FOR THE P25 RADIOS TO BE DISTRIBUTED AND COMPLETED BY EACH OF THE VOLUNTEER FIRE DEPARTMENTS REQUESTING RADIOS.

A motion was made by Commissioner Watson, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve award packets for the P25 radios to be distributed and completed by each of the volunteer fire departments requesting radios.

APPROVE THE SELL, TRADE OR SCRAP OF FIXED ASSETS

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

	<u>FA#</u>	<u>DESCRIPTION</u>	<u>DEPARTMENT</u>	<u>REASON</u>
TRANSFER		Blue sofa	Commission/ D#4	Item is no longer needed in department
SELL	11900	Land Pride Bush hog	District 4/ District 2	Item is no longer needed in department

There being no further business a motion was made by Commissioner Sims, 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

Lee Sims, District 3 Commissioner

Joey Baker, District 4 Commissioner