

9/14/2022

The Marshall County Commission met in regular session on Wednesday, September 14, 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 Baker, 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 August 10, 2022 meeting, and the claims docket for August 9, 2022 – September 12, 2022 \$5,605,288.17.

ANNOUNCE PUBLIC HEARING ON VACATING LEGEND ROAD FROM COUNTY ROAD 1866 TO ASKEA GROVE LANE TO BE HELD ON OCTOBER 26, 2022 AT 9 AM

ANNOUNCE PUBLIC HEARING ON VACATING DEDICATED RIGHT OF WAY, WHICH IS UNPAVED PORTION OF LAKEVIEW CIRCLE TO BE HELD ON OCTOBER 26, 2022 AT 9AM

MCPALS – ANNOUNCE DUMPSTER AND WHITE GOODS PICKUP FOR DISTRICT 2, SEPTEMBER 19, 2022

APPROVE FY2023 BUDGET

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims to approve Fiscal Year 2023 Budget as submitted. The budget included a two-step raise for Assistant Engineers and a one-step raise for the County Engineer (an eight percent COLA raise for all county employees which was approved August 10, 2022 was also included). A roll call vote was done, Commissioner Shumate, Yea, Commissioner Watson, Nay, Commissioner Sims, Yea, Commissioner Baker, Yea. Motion passed with three Yeas, and one nay.

ENGINEERING – APPROVE BID AWARD FOR SLIDE REPAIR PROJECT ON CR-5 (CATHEDRAL CAVERN HIGHWAY) NEAR DAR SCHOOL FOR DISTRICT 2

A motion was made by Commissioner Watson, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve rebid for Slide Repair project on CR-5 (Cathedral Cavern Highway) near DAR School for District 2. No bids were submitted.

ENGINEERING – APPROVE BID AWARD FOR ANNUAL BIDS

A motion was made by Commissioner Baker, duly seconded by Commissioner Shumate, and all members voting affirmatively and so carried to approve awarding annual bids for FY 2023 as recommended by County Engineer.

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FISCAL YEAR 2023 ANNUAL BIDS

13-22	Traffic Striping (2022 Specs)	J C Cheek – Lacey’s Spring, AL
14-22	Coarse Aggregate (F.O.B. Plant)	C A Langford – Guntersville, AL, Madison Materials – Guntersville, AL, Vulcan Materials Co. - Scottsboro, AL Rogers Group – Lacey’s Spring, AL (Awarded to all vendors based on hauling distance and availability)
15-22	Riprap (F.O.B. Plant)	C A Langford – Guntersville, AL, Madison Materials – Guntersville, AL, Vulcan Materials Co. – Scottsboro, AL, Rogers Group – Lacey’s Spring, AL (Awarded to all vendors based on hauling distance and availability)
16-22	Guardrail & End Anchors	Alabama Guardrail – Cleveland, AL
17-22	Cleaning Products	Sunbelt Paper – Fort Payne, AL (Bid extended)
18-22	Jail Inmate Supplies	Bob Barker – Fuquay Varina, NC
27-22	Office Supplies	Strickland Companies – Huntsville, AL
28-22	New OEM Tires	Wilks Tire – Albertville, AL Goodyear Tires
29-22	Gasoline & Diesel Fuel	Dutch Oil Company – Huntsville, AL
31-22	Hot Bituminous Pavement (Complete In-Place) CW	Whitaker Contracting – Guntersville, AL
31A-22	Hot Bituminous Pavement (Complete-In-Place) District 1	Rogers Group, Inc. – Huntsville, AL
32-22	Hot Bituminous Pavement (F.O.B. Plant)	Whitaker Contracting – Guntersville, AL, Wiregrass Construction – Guntersville, AL, Rogers Group, Inc – Huntsville, AL (Awarded to all three (3) vendors based on hauling distance and availability)
33-22	Cold Mix (F.O.B. Plant)	Rejected All Bids
34-22	Cold Mix - Delivered	Advanced Asphalt – Jasper, AL
38-22	Polyethylene Pipe –HDPE & Polypropylene Pipe - HP	ADCO Pipe & Supply LLC – Florence, AL
40-22	Brake Service	Verlon Painter Motors – Albertville, AL
44-22	Corrugated Metal Pipe	Contech Construction – Englewood, TN (Bid extended another year)

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ENGINEERING – APPROVE BID AWARD FOR UNARMED SECURITY AT MARSHALL COUNTY COURTHOUSES

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to award Bid #44-22 for unarmed security at Marshall County Courthouses to low bidder Dynamic Security at \$15.89 per hour as recommended by County Engineer.

ENGINEERING – APPROVE BID AWARD FOR ONE (1) OR MORE, NEW 2022 OR NEWER, MINI VAN(S) CDBG-CV GRANT

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to award Bid #64-21 to Lander McLarty for a new 2022 Chrysler Pacifica in the amount of \$42,392.50. This van will be awarded to Mountain Lakes Behavioral Healthcare under the CDBG-CV grant as recommended by County Engineer.

ENGINEERING – APPROVE BID AWARD FOR ONE (1) OR MORE NEW 2023, ½ TON TRUCK(S) FOR DISTRICT 4

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to award Bid #68-21 to Howard Bentley GMC for a 2023 GMC Sierra 1500 PRO in the amount of \$43,325.00 as recommended by County Engineer.

ENGINEERING – APPROVE BID AWARD FOR NEW FACILITY AND RENOVATED FACILITY FOR ANIMAL CONTROL SHELTER

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims to award Bid # 67-21 to Complete Construction new facility and renovated facility for Animal Control Shelter in the amount of \$623,785.00 as recommended by County Engineer. A roll call vote was done, Commissioner Shumate, Yea, Commissioner Watson, Nay, Commissioner Sims, Yea, Commissioner Baker, Yea. Motion passed with three Yeas, and one nay.

APPROVE BOARD APPOINTMENT FOR ALABAMA MOUNTAIN LAKES TOURIST ASSOCIATION BOARD; TERM EXPIRES 9/30/ 2024

A motion was made by Commissioner Baker, duly seconded by Commissioner Watson, and all members voting affirmatively and so carried to re-appoint Eric Hayes to Alabama Mountain Lakes Tourist Association Board.

APPROVE EXTENDING COVID LEAVE FOR EMPLOYEES

A motion was made by Commissioner Shumate, duly seconded by Commissioner Baker to extend up to 40 hours Covid leave/pay per employee thru December 31, 2022 pending approval of personnel board. A roll call vote was done, Commissioner Shumate, Yea, Commissioner Watson, Nay, Commissioner Sims, Nay, Commissioner Baker, Yea. Chairman Hutcheson, cast a tiebreaker vote of Yea. Motion passed with 3 Yeas, 2 Nays.

APPROVE FY2023 LIBRARY CONTRACT

A motion was made by Commissioner Sims, duly seconded by Commissioner Watson, and all members voting affirmatively and so carried to approve FY2023 Library Contract.

ANNOUNCE TWO-WEEK APPLICATION PERIOD FOR THE MARSHALL COUNTY LIBRARY BOARD; TERM EXPIRES SEPTEMBER 30, 2022

APPROVE RESOLUTION TO TRANSFER P25 RADIOS PURCHASED WITH AMERICAN RESCUE PLAN ACT FUNDS TO ELIGIBLE VOLUNTEER /FIRE DEPARTMENTS AND RESCUE SQUADS

A motion was made by Commissioner Sims, duly seconded by Commissioner Shumate, and all members voting affirmatively and so carried to waive the reading of the resolution.

A motion was made by Commissioner Watson, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve Resolution to transfer P25 radios purchased with American Rescue Plan Act Funds to eligible Volunteer /Fire Departments and Rescue Squads.

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RESOLUTION TO TRANSFER OF P25 RADIOS PURCHASED WITH AMERICAN RESCUE PLAN ACT FUNDS TO ELIGIBLE VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS

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

WHEREAS, by way of resolution dated March 9, 2022, the Marshall County Commission (“Commission”) authorized the allocation of up to \$270,000 of its ARPA funds to purchase P25 radios to be distributed to and used by the County’s volunteer fire departments and rescue squads (“emergency service providers”) to carry out part of the County’s response to the impact of the COVID-19 public health emergency through the provision of emergency response and medical services; and

WHEREAS, the County has properly procured the radios in accordance with procurement policies and practices as required by the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”); and

WHEREAS, consistent with approval by the Commission in its June 22, 2022, meeting, award packets were distributed to each of the seventeen emergency service providers in the County seeking information needed to complete risk assessments, develop a monitoring plan, and finalize subrecipient agreements in accordance with Uniform Guidance; and

WHEREAS, the Commission desires to enter into an agreement with each emergency service provider to distribute P25 radios in order to carry out the proposed project;

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

1) The County distribute P25 radios to each of the emergency service providers to carry out part of the County’s response to the impact of the COVID-19 public health emergency through the provision of emergency response and medical services by and through subawards as follows:

- a) 4C Volunteer Fire Department – 5 radios;
- b) Alder Springs Volunteer Fire Department – 5 radios;
- c) Asbury Volunteer Fire Department – 5 radios;
- d) Beulah Volunteer Fire Department – 5 radios;
- e) Douglas Volunteer Fire Department – 5 radios;
- f) Georgia Mountain Volunteer Fire Department – 5 radios;
- g) Grant Volunteer Fire Department – 5 radios;
- h) Guntersville Rescue Squad – 5 radios;
- i) Hebron Volunteer Fire Department – 5 radios;
- j) Mt. Hebron Volunteer Fire Department – 5 radios;
- k) Pleasant Grove Volunteer Fire Department – 5 radios;
- l) South Sauty Volunteer Fire Department – 5 radios;
- m) Swaengin Volunteer Fire Department – 5 radios;
- n) Union Grove Volunteer Fire Department – 5 radios;
- o) Union Rescue Squad – 5 radios;
- p) Wakefield Volunteer Fire Department – 5 radios; and
- q) Waterfront Volunteer Fire Department – 5 radios.

2) Distribution of the radios are subject to the following conditions:

- a) Completion and return of the award packet materials by each of the emergency service providers;
 - b) Completion of a satisfactory risk assessment for each emergency service provider;
 - c) Development of a monitoring plan for each emergency service provider; and
 - d) Execution of a subrecipient agreement in a format that is substantively similar to the form agreement attached to this Resolution as Addendum 1.
- 3) The Chairman is hereby authorized to execute the subaward agreements.
- 4) The Marshall County EMA is hereby authorized to distribute the radios in accordance with the terms of this Resolution and the executed subrecipient agreement, the terms of which are incorporated by reference herein.

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 14th day of September, 2022.

S/James Hutcheson
Chairman, Marshall County Commission

ANNOUNCE TWO-WEEK APPLICATION PERIOD FOR NORTHEAST WATER SEWER AND FIRE PROTECTION AGENCY; TERM EXPIRES 9/30/22

SHERIFF – APPROVE TO BID OUT ONE (1) OR MORE XRAY MACHINE(S) FOR COURTHOUSE SECURITY

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to bid out One (1) or more X-ray machine(s) for courthouse security.

COUNCIL ON AGING – APPROVE TOP OF ALABAMA REGIONAL COUNCIL OF GOVERNMENTS (TARCOG) CONTRACT; \$129,530, NO MATCH

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve Top of Alabama Regional Council of Governments (TARCOG) SenioRX Contract for \$20,848 with no match.

COUNCIL ON AGING – APPROVE TOP OF ALABAMA REGIONAL COUNCIL OF GOVERNMENTS (TARCOG) SENIORX CONTRACT; \$20,848, NO MATCH

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve Top of Alabama Regional Council of Governments (TARCOG) SenioRX Contract for \$20,848 with no match.

JUVENILE PROBATION – APPROVE ENTERING INTO GRANT AGREEMENT WITH ALABAMA DEPARTMENT OF YOUTH SERVICES (DYS) FY2023 PINNACLE SCHOOLS; \$432,640, NO MATCH

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve entering into grant agreement with Alabama Department of Youth Services (DYS) FY2023 Pinnacle Schools for \$432,640 with no match.

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JUVENILE PROBATION – APPROVE ENTERING INTO GRANT AGREEMENT WITH ALABAMA DEPARTMENT OF YOUTH SERVICES (DYS) FY2023 YOUTH ADVOCATE PROGRAM (YAP); \$181.490, NO MATCH

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve entering into grant agreement with Alabama Department of Youth Services (DYS) FY2023 Youth Advocate Program (YAP) for \$181.490 with no match.

DISTRICT 2 –APPROVE CONTRACT WITH JMWOOD TO SELL A 2021 MACK DUMP TRUCK, FIXED ASSET #12605

A motion was made by Commissioner Watson, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve contract with JMWood to sell a 2021 Mack Dump truck, fixed asset #12605.

COUNTYWIDE – APPROVE PURCHASE OF A 2023 MACK PINNACLE 64 T OFF STATE BID LIST; \$145,517 NEXTRAN TRUCK CENTERS

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve purchase of a 2023 Mack Pinnacle 64 T off state bid list; \$145,517 Nextran Truck Centers.

DISTRICT 4 – APPROVE FINANCING OF TWO (2) JOHN DEERE 6105 E TRACTORS OFF STATE BID LIST; \$151,299.52 TRI GREEN

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve financing of Two (2) John Deere 6105 E Tractors off state bid list; \$151.299.52 Tri Green.

COUNTYWIDE – APPROVE TO BID OUT ONE (1) 24 FT. DUMP TRAILER

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve to bid out One (1) 24 ft. Dump Trailer.

PROBATE – APPROVE DELTA SUPPORT AGREEMENT \$4,680/ MONTH TO BE BUDGETED IN FY2023 BUDGET

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve Delta Support Agreement \$4,680/ month to be budgeted in FY2023 budget.

PROBATE – APPROVE BERNEY OFFICE SOLUTION AGREEMENT; CHANGING DATE FROM JANUARY 1- DECEMBER 31 TO OCTOBER 1- SEPTEMBER 30, \$210 MONTH

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve Berney Office Solution Agreement; changing date from January 1- December 31 to October 1- September 30, \$210 month.

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>
SCRAP	11314,11315	Siren Speaker	EMA	Item is obsolete, broken or worn out
	11646,11196	Water heater Boiler	Maintenance District 4/	Item is obsolete, broken or worn out
SELL	6574	Asphalt Distributor	Limestone County	Item is no longer needed in department

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12605	2021 Mack Dumptruck	District 2/ To be Sold at JM Wood	Item is no longer needed in department
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There being no further business a motion was made by Commissioner Sim, 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