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The Marshall County Commission met in regular session on Wednesday, October 26, 2016 at 10:00am in the Marshall County Commission Chambers.

PRESENT:

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

Chairman Hutcheson called the meeting to order and asked Pastor Phillip Bradley with Guntersville Church of Christ 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 Kelley and so carried to approve the consent agenda as read by Chairman Hutcheson. The consent agenda includes the minutes from the October 12, 2016 commission meeting and the claims docket for October 11, 2016 – October 24, 2016 in the amount of \$256,358.98. .

APPROVE HIRING AN ADDITIONAL SECURITY OFFICER FOR ALBERTVILLE COURTHOUSE TO BE PAID FROM GENERAL FUND BALANCE; \$25,000

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve hiring an additional security officer for Albertville Courthouse to be paid from General Fund fund balance.

APPROVE RESOLUTION IN SUPPORT OF CONSTITUTIONAL AMENDMENT 14

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve Resolution in support of Constitutional Amendment 14 as read by county attorney.

RESOLUTION IN SUPPORT OF
PROPOSED CONSTITUTIONAL AMENDMENT 14

WHEREAS, the Marshall County Commission routinely partners with its State Legislators in Montgomery to pass local legislation for the benefit of the citizens residing in Marshall County, and;

WHEREAS, the Marshall County Commission has supported the passage and enactment of countless local bills that have contributed to a higher quality of life for the residents of Marshall County by providing much needed support for critical public services including, but not limited to, local school systems, volunteer firefighter departments, county sheriffs' offices, workforce development programs, community health organizations, and many more, and;

WHEREAS, a technical issue related to a routine procedural vote in the House of Representatives stands to threaten the execution of thousands of local laws, which would have detrimental and long-term consequences for the citizens of Marshall County and the millions of other Alabamians residing all across this great state, and;

WHEREAS, Act 2016-430 passed during the 2016 Regular Session of the Alabama Legislature proposes a constitutional amendment to ratify and confirm the validity of the procedural vote in question, thereby approving any and all local laws passed by the Alabama Legislature in accordance to the rules of the House or Senate in place at the time of the vote, and;

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WHEREAS, ratification of this proposed constitutional amendment would safeguard the communities of Marshall County by preserving the local laws that support the vitally important public services and institutions that the children, senior citizens, small business owners, and hard-working residents of Marshall County have come to utilize on a daily basis, and;

WHEREFORE, BE IT HEREBY RESOLVED BY THE MARSHALL COUNTY COMMISSION that it does hereby urge all registered voters of Marshall County to vote in favor of the constitutional amendment proposed by Act 2016-430, which will appear on the November 2016 General Election Ballot as Amendment 14.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, and the chairs of the Senate and House Rules Committee.

IN WITNESS WHEREOF, the Marshall County Commission has caused this Resolution to be executed in its name on this the 26th day of October, 2016.

S /JamesHutcheson
James Hutcheson, Chairman

APPROVE RESOLUTION IN SUPPORT OF CONSTITUTIONAL AMENDMENTS 3 & 4

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve Resolution in support of Constitutional Amendments 3 & 4 as read by county attorney.

RESOLUTION IN SUPPORT OF PROPOSED CONSTITUTIONAL AMENDMENTS 3 AND 4

WHEREAS, the Alabama Constitutional Revision Commission was created by the Alabama Legislature in 2011 to complete a full review of the 1901 Alabama Constitution and propose a series of revisions to the document, which were completed in 2014, and;

WHEREAS, during the 2015 Regular Session of the Alabama Legislature, county leaders from all 67 Alabama counties came together to actively pursue passage of two proposed constitutional amendments that were borne from the recommendations of the Alabama Constitutional Revision Commission—both of which would allow county governments to operate more efficiently in service to the citizens of Alabama, and;

WHEREAS, the Marshall County Commission hereby declares its support for the following proposed constitutional amendments to appear on the November 2016 ballot:

- Proposed Amendment #3, which was passed during the 2015 Regular Session of the Alabama Legislature as Act 2015-44 to make it more difficult to force a statewide vote on those local constitutional amendments that would only impact the citizens of Marshall County, and which also includes provisions to prevent statewide voters from overruling the will of the people of Marshall County should a local constitutional amendment impacting this county be subject to statewide referendum, and;
- Proposed Amendment #4, which was passed during the 2015 Regular Session of the Alabama Legislature as Act 2015-220 to allow county commissions to carry out *limited* management and administrative activities in the specified areas of county personnel programs, community programs for litter-free roadways and public property, public transportation, the operation of county offices, and emergency assistance programs; and which also includes a provision allowing citizen input into any proposed programs, policies, or procedures, and *strictly prohibits the levying of any taxes or fees*, and;

WHEREAS, ratification of these proposed constitutional amendments would greatly improve the operation of county government in Marshall County by 1) making it harder for voters outside of the county to undermine the voice of local citizens on local issues,

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and 2) ensuring that county commissions across the state can take management and administrative action on those specified critical issues that impact the day-to-day quality of life for the residents of this great state, and;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE MARSHALL COUNTY COMMISSION that it does hereby urge all registered voters of Marshall County to vote in favor of the constitutional amendments proposed by Acts 2015-44 and 2015-220, which will appear on the November 2016 General Election Ballot as Amendments 3 and 4, respectively.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, and the chairs of the Senate and House Rules Committee.

IN WITNESS WHEREOF, the Marshall County Commission has caused this Resolution to be executed in its name on this the 26th day of October, 2016.

S/James Hutcheson
James Hutcheson, Chairman

APPROVE CONTRACT FOR STORM SHELTER MAINTENANCE

E.M.A director Anita McBurnett introduced a shelter maintenance agreement to the Commission for storm shelter maintenance. The maintenance agreement would cost the County an additional \$31,000.00 per year. This item failed for lack of motion.

DISTRICT 1 – APPROVE SPEED LIMIT ON BAMA DRIVE, 25 MPH

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve speed limit of 25 mph on Bama Drive as recommended by county Engineer.

PROBATE – APPROVE XEROX COPIER LEASE; \$91.57 PER MONTH

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve Xerox copier lease for Probate.

APPROVE MAINTENANCE AGREEMENT FOR ALBERTVILLE AND GUNTERSVILLE COURTHOUSE TELEPHONE SOFTWARE; \$2,148

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve maintenance agreement for Albertville and Guntersville Courthouse telephone software.

APPROVE ALEA GRANT 6FIL FOR HEAVY RESCUE TEAM 10; \$11,848 NO MATCH

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve ALEA grant 6FIL for Heavy Rescue Team 10 for \$11,848 no match.

APPROVE SOLICITATION OF BID FOR 1 OR MORE BAGGAGE X-RAY MACHINES

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Kelley, all members voting affirmatively and so carried to approve solicitation of bid for 1 or more baggage x-ray machines.

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APPROVE SALE, TRADE OR SCRAP OF FIXED ASSETS

A motion was made by Commissioner Martin, duly seconded by Commissioner Stricklend and so carried to approve of sell, trade or scrap of fixed assets.

<u>SCRAPPED</u>		Sony Cyber Shot Camera	EMA	Item is obsolete, broken or worn out
		Kodak Camera	EMA	Item is obsolete, broken or worn out
		Canon Camera	EMA	Item is obsolete, broken or worn out
		Siren Battery Charger	EMA	Item is obsolete, broken or worn out
<u>SURPLUS</u>		Multi media podium	EMA	Item no longer needed in department
	1143	Generator	EMA	Item no longer needed in department
		Sanyo TV	EMA	Item no longer needed in department
		Uniform Shirts	EMA	Item no longer needed in department
	10866	Sterling Dump Truck	District #2	Item no longer needed in department

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

MEETING ADJOURNED

James Hutcheson, Chairman

William H. Stricklend, District 1 Commissioner

R.E. Martin, District 2 Commissioner

David Kelley, District 3 Commissioner

Jessie Swords, District 4 Commissioner