

07/25/2018

The Marshall County Commission met in regular session on Wednesday, July 25, at 10:00am in the Marshall County Commission Chambers.

PRESENT:

James Hutcheson, Chairman  
Shelly Fleisher, County Administrator  
William H. Stricklend, III, District 1 Commissioner  
R.E. Martin, District 2 Commissioner  
David Kelley, District 3 Commissioner  
Jessie C. Swords, 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. He then asked Commissioner Kelley to lead the Pledge of Allegiance.

CONSENT AGENDA

A motion was made by Commissioner Martin, duly seconded by Commissioner Stricklend, 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 11, 2018 commission meeting and the claims docket for July 10, 2018 – July 23, 2018 in the amount of \$659,236.61.

DISTRICT 2 – APPROVE PRELIMINARY PLAT FOR PHASE III OF THE RESERVE SUBDIVISION WITH VARIANCES

A motion was made by Commissioner Martin, duly seconded by Commissioner Stricklend, all members voting affirmatively and so carried to approve preliminary plat for Phase III of The Reserve Subdivision with variances as recommended by County Engineer. The Public hearing was held at 9:00 a.m. work session with no public comments.

ENGINEERING – APPROVE SOLICITATION OF ANNUAL BIDS FOR FY 19

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve solicitation of annual bids for FY 19.

The following items shall be bid for fiscal year 2018-2019:

Traffic Stripping	Bituminous Surface Treatment(CIP)
Guardrail & End Anchors	Hot Bituminous Pavement (CIP)
Cleaning Products	Galvanized Metal Culvert Pipe

The following bids shall be renewed for fiscal year 2018-2019:

14-17	Coarse Aggregate	Madison Materials, CA Langford
15-17	Rip Rap (FOB Plant)	Madison Materials, CA Langford
27-17	Office Supplies	Office Equipment
28-17	New (OE) Tires	Westmoreland Tire, Wilks Tire
29-17	Gasoline & Diesel Fuel	H Oil
32-17	Hot Bit Pavement (FOB Plant)	Whitaker Contracting, Jim’s Asphalt, Reed Contracting
33-17	Cold Mix (FOB Plant)	Whitaker Contracting, Jim’s Asphalt, C.A. Langford, Advanced Asphalt Products, Midsouth Paving
34-17	Cold Mix (Delivered)	CA Langford
38-17	Polyethylene /Polypropylene Pipe	S&S Wholesale

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45-17 Hauling Freight

Charmack Enterprises

53-17 Hot Bit Pavement (FOB Plant)

Whitaker Contracting, CA Langford, M&S Construction

APPROVE RESOLUTIONS AUTHORIZING ALDOR TO COLLECT LOCAL SALES AND USE TAXES, TOBACCO TAXES AND MOTOR FUEL TAXES EFFECTIVE 11/1/18

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve resolution as read by county attorney authorizing ALDOR to collect local sales and use taxes effective 11/1/18. An additional motion was made by Commissioner Stricklend duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve identical Resolutions for Tobacco and Motor Vehicle taxes and to authorize the County Administrator to contact RDS that ALDOR would be collecting sales, tobacco, motor vehicle taxes for Marshall County effective 11/01/2018.

A RESOLUTION AUTHORIZING THE ALABAMA  
DEPARTMENT OF REVENUE TO ADMINISTER AND  
COLLECT SALES/USE/LODGINGS/RENTAL TAXES  
LEVIED BY THE MARSHALL COUNTY COMMISSION  
STATE OF ALABAMA

BE IT ORDAINED BY THE COMMISSION OF COUNTY OF MARSHALL, AS FOLLOWS:

SECTION 1. Administration and Collection by Alabama Department of Revenue. Pursuant to the provisions of the Code of Alabama 1975, Section 11-3-11.3, the County of Marshall hereby directs that the Department of Revenue of the State of Alabama shall administer and collect all Sales/Use/Lodgings/Rental taxes levied and assessed under the provisions of this Resolution to the fullest extent allowed by Alabama law.

SECTION 2. Certified Copy. The County of Marshall shall provide a certified copy of this Resolution to the Alabama Department of Revenue and shall also provide such other information and take such other steps as may be required by said Department of Revenue to enable it to administer and collect taxes levied and assessed under the provisions of this Resolution.

The County of Marshall adopted this Resolution at the regular meeting on July 25, 2018. This Resolution is effective as of November 1, 2018.

S/James Hutcheson  
James Hutcheson  
Chairman

S/Shelly Fleisher  
Attest: Shelly Fleisher

DISTRICT 1 – APPROVE FINANCE AGREEMENT FOR FEEMSTER GAP ROAD IA PROJECT

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve finance agreement for Feemster Gap Road IA Project as recommended by County Engineer.

DISTRICT 3 – APPROVE FINANCE AGREEMENT FOR MT. SANAI BRIDGE REPLACEMENT PROJECT

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve finance agreement for Mt. Sanai bridge replacement project as recommended by County Engineer.

DISTRICT 3 – APPROVE CAT FINANCIAL LEASE FOR A BACKHOE IN THE AMOUNT OF \$99,717

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve CAT Financial lease for a backhoe in the amount of \$99,717.

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REVENUE COMMISSIONER – APPROVE RESOLUTION AND ORDER CONFIRMING AND RATIFYING THE LEVY OF COUNTY AD VALOREM TAXES AND SPECIAL FEES

A motion was made by Commissioner Strickland, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve to waive the reading of the resolution and approval, Resolution and Order confirming and ratifying the levy of county ad valorem taxes and special fees as recommended by County Attorney.

RESOLUTION AND ORDER CONFIRMING AND RATIFYING THE LEVY  
LEVY OF COUNTY AD VALOREM TAXES AND SPECIAL FEES

WHEREAS; The Code of Alabama 1975, 540-7-42 requires that at the first regular meeting in February in each year the Marshall County Commission shall levy the general and special ad valorem taxes for the county and shall certify the rates and purposes of taxation to the Marshall County Revenue Commissioner and,

WHEREAS; pursuant to Act 2014-433, the general and special ad valorem tax levies, rates, and purposes, once established, shall remain in place in all subsequent tax years unless there is a change in the tax rate by the county commission in compliance with general law and,

WHEREAS; the election of special fire fees, pursuant to Act 2013-403, occurred June 05, 2018,

NOW THEREFORE BE IT RESOLVED and ordered by the Marshall County Commission that the following taxes are hereby levied along with applicable fees at the rate or rates and for the purpose or purposes set out below, and shall be assessed and collected for the tax year beginning October 1, 2018 in accordance with all applicable law; and for each subsequent tax year until altered by the county commission pursuant to a change in tax rate by general law;

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Purpose Levy Authority to Change

County General	6.00 mil	No change
Road & Bridge	2.40 mil	No change
Courthouse & Jail	0.60 mil	No change
Hospital	4.50 mil	No change
Schools	4.50 mil	No change
School District - Rural	13.00 mil	No change
Douglas VFD 32 Fire Fee	\$51/month/applicable structure	No change
Four C VFD 11 Fire Fee	\$5/month/applicable structure	No change
Georgia Mountain VFD 14 Fire	\$5/month/applicable structure	No change
Grant VFD 21 Fire Fee	\$5/month/applicable structure	Act 2013- Elected 06/05/18
Hebron VFD 24 Fire Fee	\$5/month/applicable structure	No change
Nixon Chapel VFD 34 Fire Fee	\$5/monthly/applicable structure	No change
Pleasant Grove VFD 35 Fire	\$5/month/applicable structure	No change
Waterfront VFD 27 Fire Fee	\$5/month/applicable structure	No change

BE IT FURTHER RESOLVED and ordered by the Marshall County Commission that it does hereby certify this tax levy to the Marshall County Revenue Commissioner by copy of this resolution, which includes the rates of taxation and the purposes for which each tax is levied.

BE IT FURTHER RESOLVED and ordered by the Marshall County Commission that, pursuant to Act 2014433, this certification shall remain in full force and effect until and unless altered by the Marshall County Commission pursuant to a change in tax rate by general law.

IN WITNESS WHEREOF, the Marshall County Commission has caused this Resolution to be executed

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in its names Chairman on the 25<sup>th</sup> day of July, 2018.

S/James Hutcheson  
James Hutcheson  
Chairman

S/Bill Stricklend  
Bill Stricklend  
D#1 Commissioner

S/R.E.Martin  
R.E.Martin  
D#2 Commissioner

S/David Kelley  
David Kelley  
D#3 Commissioner

S/Jessie Swords  
Jessie Swords  
D#4 Commissioner

EMA – APPROVE APPLICATION FOR AL HOMELAND SECURITY GRANT \$50,000, NO MATCH FOR MULTI BAND RADIOS

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve application for AL Homeland Security Grant \$50,000, no match for multi band radios.

PROBATE – APPROVE COPIER LEASE \$68.88 PER MONTH

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve copier lease \$68.88 per month.

COA – APPROVE AMENDMENT TO INCREASE NUTRITION CONTRACT BY \$2,000 TO BE USED FOR PRINTING OF NEW SENIOR DIRECTORIES AND OUTREACH ACTIVITIES

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve amendment to increase Nutrition contract by \$2,000 to be used for printing of new Senior Directories and Outreach activities.

APPROVE SELL, TRADE OR SCRAP OF FIXED ASSETS

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

	FA#	DESCRIPTION	DEPARTMENT	REASON
<u>SCRAP</u>	10408	HP Printer	Revenue Comm	Item is obsolete, broken or worn out
	8253	HP Printer	Revenue Comm	Item is obsolete, broken or worn out

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

MEETING ADJOURNED

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James Hutcheson, Chairman

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William H. Stricklend, District 1 Commissioner

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R.E. Martin, District 2 Commissioner

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David Kelley, District 3 Commissioner

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Jessie Swords, District 4 Commissioner