

03/28/2018

The Marshall County Commission met in regular session on Wednesday, March 28, 2018, 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  
Norma Parker, Commission Clerk  
Clint Maze, County Attorney

Chairman Hutcheson called the meeting to order and asked County 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 March 14, 2018 commission meeting and the claims docket for March 13, 2018 – March 26, 2018 in the amount of \$542,945.55.

APPROVE RSVP PROCLAMATION FOR COUNTY RECOGNITION DAY ON APRIL 3RD FOR NATIONAL VOLUNTEER WEEK

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve RSVP Proclamation for County Recognition Day on April 3rd for National Volunteer Week.

PROCLAMATION

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's *COUNTIES/CITIES/TRIBAL GOVERNMENTS* are increasingly turning to The Retired and Senior Volunteer Program, RSVP, and volunteerism as a cost-effective strategy to meet their needs; and

WHEREAS, Retired and Senior Volunteer Program volunteers address the most pressing challenges facing our communities, from educating students for the jobs of the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and

WHEREAS, senior service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, Retired and Senior Volunteer Program volunteers serve in more than 50 locations across the county, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, RSVP volunteers increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

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WHEREAS, senior service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, RSVP volunteers demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with local leaders nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, the National Association of Counties, Cities of Service, and local leaders across the country for National Service Recognition Day on April 3, 2018.

THEREFORE, BE IT RESOLVED that I, James Hutcheson, Chairman of the Marshall County Commission, do hereby proclaim April 3, 2018, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our community, to thank those who serve; and to find ways to give back to their communities.

APPROVE PROCLAMATION FOR THE HEALTH DEPARTMENT RECOGNIZING THE FIRST WEEK OF APRIL AS NATIONAL PUBLIC HEALTH WEEK

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve Proclamation for the Health Department recognizing the first week of April as National Public Health Week.

MARSHALL COUNTY COMMISSION  
PROCLAMATION

WHEREAS, everyone deserves to live a long, healthy life in a safe environment free of preventable disease and disability; and the Alabama Department of Public Health mission is to promote, protect, and improve the health of individuals and communities in Alabama; and the Marshall County Health Department provides a wide array of services; and

WHEREAS, through the WIC Program, Public Health provides nutrition assessment, education, and nutritious foods at no cost to limited-income pregnant, breastfeeding, and postpartum women, infants, and children up to age 5 at nutritional risk; and

WHEREAS, Public Health provides confidential and professional family planning services regardless of income to prevent unintended pregnancies through education and contraceptive services and provides breast and cervical cancer screening to uninsured and underinsured women age 40-64; and

WHEREAS, Public Health issues certified copies of birth, death, marriage, and divorce certificates on a while-you-wait basis regardless of where in the state the event occurred; and

WHEREAS, Public Health conducts inspections of restaurants, schools, and other food service and lodging establishments, including child care centers, and regulates milk production, seafood production, soil testing, onsite sewage disposal, solid waste disposal, vector control, indoor air quality, and home lead inspections; and

WHEREAS, Public Health provides childhood and adult vaccines, testing, medication, physician services, hospitalization, and laboratory services for those with tuberculosis disease and their contacts and confidential testing, treatment, counseling, and partner referral for most sexually transmitted diseases; and

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WHEREAS, Public Health provides licensed social work case management/care coordination, laboratory testing, rabies investigations, assurance of emergency medical service standards; and protection of patients/residents of health care facilities from abuse and neglect; and

WHEREAS, Public Health provides home care visits that include skilled nursing, physical therapy, medical social work, and personal care services through Medicare-certified home health agencies; and

NOW, THEREFORE, I, James Hutcheson, Chair, Marshall County Commission, do hereby proclaim April 2 through April 8, 2018, as Public Health Week in Marshall County, Alabama

S/James Hutcheson  
Chairman James Hutcheson  
Marshall County Commission

APPROVE PROCLAMATION FOR PROJECT SEARCH RECOGNIZING THE MONTH OF APRIL AS NATIONAL AUTISM AWARENESS MONTH

A motion was made by Commissioner Kelley, duly seconded by Commissioner Sword, all members voting affirmatively and so carried to approve Proclamation for Project Search recognizing the Month of April as National Autism Awareness Month.

PROCLAMATION

WHEREAS, We have enacted into the law in 1990 the Americans with Disabilities Act (ADA), the most comprehensive civil rights legislation in the world for people with disabilities. The ADA provides anti-discrimination protection for our Nation's nearly 49 million American with disabilities in public and private employment, public accommodations, and transportation. Through this Act, we have proclaimed that Americans with disabilities are integral, contributing, productive, and valued citizens of our Nation. Marshall County is committed to full compliance with the ADA; and

WHEREAS, it is critical that Marshall County proclaim its intention to implement fully the ADA. We need the talents, skills, abilities of every one of our citizens, including our citizens with disabilities. People with disabilities reflect the diversity of our country. They are members of every race, color, creed, and national origin and offer varied and multiple proficiencies, and competencies. We cannot afford either morally or financially, to lose the contributions that people with disabilities bring, not only to the workplace but also the mainstream community life. They are an irreplaceable resource for our Nation; and

WHEREAS, Project SEARCH goal is to increase employment opportunities for persons with disabilities and to advocate on behalf of their employment to other organizations in their communities; and

WHEREAS, the congress, by Joint Resolution, has designated April of each year as "National Autism Awareness Month." This month provides the opportunity for all Americans to recognize the tremendous value and potential of people with disabilities, and commit and dedicate ourselves to the empowerment, integration, employment, and full inclusion of every one of our citizen with disabilities;

Now, Therefore, I, James Hutcheson, County Chairman of Marshall County do hereby proclaim April 2018 as Project SEARCH Month in Marshall County. I call on all citizens of Marshall County to observe this month with appropriate programs and activities that reaffirms our determination to fulfill both the letter and the spirit of the American with disabilities Act and those with Marshall County Project SEARCH.

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Given under my hand  
And the Seal of Marshall County,  
Alabama, on this the 28nd day of March, 2018

S/James Hutcheson  
Chairman James Hutcheson

APPROVE CHANGING BANKS

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve changing all Marshall County Commission banking from Regions Bank to Citizen Bank & Trust in accordance to Code of Alabama Act 2018-149. Chairman Hutcheson called for roll call vote, Commissioner Stricklend, Yay, Commissioner Martin, Yay, Commissioner Kelley, Yay, Commissioner Swords, Yay. Citizen Bank & Trust offered .07 percent of the Federal Fund Rate, Bancorp offered fixed rate of 1.25 % for a 3 year period, FNB declined to submit an offer at this time.

DISTRICT 1 – APPROVE RESOLUTION CONSOLIDATING THE ARAB COMMUNITY CENTER VOTING PRECINCTS 261 AND 264 INTO THE ARAB RECREATION CENTER VOTING PRECINCTS 262 AND 263 AND LOCATING THE PRECINCT TO THE ARAB SENIOR CENTER

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve resolution consolidating the Arab Community Center voting precincts 261 and 264 into the Arab Recreation Center voting precincts 262 and 263 and locating the precinct to the Arab Senior Center, 800 North Main Street, Arab AL.

STATE OF ALABAMA  
MARSHALL COUNTY

RESOLUTION OF THE MARSHALL COUNTY COMMISSION  
DESIGNATING VOTING PLACE FOR PRECINCT NUMBER 26  
BOXES 1 THROUGH 4

WHEREAS, the Marshall County Commission has maintained a Voting Place at Arab Community Center, precinct 26 boxes 1 and 4, for many years; and

WHEREAS, the Marshall County Commission has received a notice from the City of Arab that the Arab Community Center was damaged by a storm on or about March 19, 2018 and is no longer structurally sound and is no longer open to the public; and

WHEREAS, after consultation with the Marshall County Probate Judge and the District One Commissioner, the Marshall County Commission has determined that the most suitable option is to consolidate the Arab precinct, precinct 26, into one polling location; and

WHEREAS, after consultation with the City of Arab and the Probate Judge, the existing polling location at the Arab Recreation Center has insufficient parking to accommodate voting for all the residents of the Arab area; and

WHEREAS, after consultation with the Marshall County Probate Judge, the District One Commissioner and the City of Arab, the Marshall County Commission has determined that the most suitable location for a single polling location in the City of Arab is the Arab Senior Center located at 800 North Main Street, Arab, Alabama.

WHEREAS, the Marshall County Commission is charged with the responsibility of designating the places for holding elections within the assigned precincts pursuant to Section 17-6-4, Code of Alabama (1975).

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NOW THEREFORE be it resolved that the Marshall County Commission has designated Arab Senior Center located at 800 North Main Street, Arab, Alabama as the Voting Place for Precinct Number 26, boxes 1 through 4. Further, be it resolved that notice of this change will be published in The Arab Tribune and shall be posted on the doors of the Arab Community Center and on the Arab Recreation Center.

Adopted this the 28th day of March, 2018.

S/James Hutcheson  
JAMES HUTCHESON, Chair

ATTEST:

S/William H. Stricklend  
William H. Stricklend, District 1

S/David Kelley  
David Kelley, District 3

S/R.E. Martin  
R. E. Martin, District 2  
Vice Chairman

S/Jessie Swords  
Jesse Swords, District 4

DISTRICT 2 – APPROVE PAYMENT REQUEST TO C & H MACHINE; \$20

A motion was made by Commissioner Martin, duly seconded by Commissioner Kelley, all members voting affirmatively and so carried to approve payment request to C & H Machine.

DISTRICT 4 – APPROVE TO INITIATE FEDERAL AID RESURFACING PROJECT FOR MARTLING GAP ROAD

A motion was made by Commissioner Swords, duly seconded by Commissioner Kelley, all members voting affirmatively and so carried to approve to initiate Federal Aid Resurfacing Project for Martling Gap Road.

RESOLUTION

COUNTY OF MARSHALL  
STATE OF ALABAMA

PROJECT NO. MCP 48-69-18

FUNCTIONAL CLASSIFICATION NO.

WHEREAS, the County Commission of Marshall County, Alabama, is desirous of constructing or improving by force account, by contract, or both, a section of road included in the Marshall County Road System and described as follows: Resurface and traffic stripe Martling Gap Road from AL Hwy 227 East to the 4 way stop at Martling Road for approximately three (3) miles.

WHEREAS, the County agrees to all of the provisions of the County-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on the project, and.

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WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

Done at the regular session of the County Commission of Marshall County, this 28<sup>th</sup> day of March, 2018.

MARSHALL COUNTY COMMISSION

GOVERNING BODY

S/James Hutcheson

James Hutcheson, Chairman

S/David Kelley

David Kelley, Commissioner

S/William H. Stricklend

William H. Stricklend, III, Commissioner

S/Jessie Swords

Jessie C. Swords, Commissioner

S/R.E. Martin

R. E. Martin, Commissioner

APPROVE 911 BOARD APPOINTMENT A motion was made by Commissioner Stricklend, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve Jim Peterson to the 911 Board effective immediately. Mr. Peterson will replace Commissioner Bill Stricklend on the 911 Board.

ANNOUNCE 2-WEEK EXTENSION OF APPLICATION PERIOD FOR MOUNTAIN LAKES BEHAVIORAL HEALTHCARE BOARD APPOINTMENT TO REPLACE BARRY KENNEY WHOM RESIGNED MARCH 8, 2018; TERM EXPIRES APRIL 2019

ANNOUNCE 2-WEEK APPLICATION PERIOD FOR MARSHALL JACKSON MRA, INC. BOARD APPOINTMENT; TERM EXPIRES APRIL 1, 2024

ANNOUNCE 2-WEEK APPLICATION PERIOD FOR A NEW SPOT ON MARSHALL JACKSON MRA, INC. BOARD APPOINTMENT; TERM EXPIRES APRIL 1, 2020

APPROVE THE 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 the sell, trade, scrap of fixed assets.

<u>SURPLUS</u>	11773	<i>Bush hog</i>	<i>District 3</i>	<i>Item no longer needed in department</i>
	11876	<i>Kubota Tractor</i>	<i>District 3</i>	<i>Item no longer needed in department</i>
	11875	<i>Kubota Tractor</i>	<i>District 3</i>	<i>Item no longer needed in department</i>

At this time Chairman Hutcheson opened up the floor for discussion. District 3 Commissioner Kelley thanked everyone for the help after the F-2 tornado went thru his District on March 19<sup>th</sup> 2018. He stated EMA and first responders did a great job assisting in the after-math. His district will continue to assist with cleanup. District 4 Commissioner Swords stated his District would continue paving. District 2 Commissioner R.E. Martin said his District will be paving, cleaning out ditches, and adding pipes to some for better drainage. District 1 Commissioner Bill Stricklend is still working on Aldridge and Feemster Gap

Road storm damage from December 2015. They are waiting on surveys to proceed with repairs. He stressed his concern about a siren near his home not sounding off during the March 19<sup>th</sup> tornadoes. EMA Director Anita McBurnett insured him the problem had been addressed and resolved.

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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